

By the Committees on Criminal Justice; and Health Regulation;
and Senator Joyner

591-04380A-10

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1 A bill to be entitled

2 An act relating to massage services; creating s.
3 480.054, F.S.; requiring a person who provides or
4 offers to provide massage services to possess a
5 license and certain identifying documents; requiring a
6 person who provides or offers to provide massage
7 services to present a license and an identifying
8 document to a law enforcement officer upon request;
9 prohibiting a person from providing or offering to
10 provide massage services without possessing certain
11 documents; requiring any person who operates a massage
12 establishment to maintain certain valid work
13 authorization documents on the premises for certain
14 employees; requiring any person who operates a massage
15 establishment to present certain valid work
16 authorization documents to a law enforcement officer
17 upon request; prohibiting a person from operating or
18 managing a massage establishment without maintaining
19 valid work authorization documents on the premises of
20 the massage establishment for certain employees;
21 prohibiting a person from using a massage
22 establishment for the purpose of lewdness,
23 assignation, or prostitution; providing penalties;
24 providing an effective date.

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26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Section 480.054, Florida Statutes, is created to
29 read:

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30 480.054 Documents required for identification for
31 presentation to law enforcement officer while offering or
32 providing massage services.-

33 (1) Each person who provides or offers to provide massage
34 services for compensation, or on behalf of a massage
35 establishment or for any business, shall possess a wallet-size
36 identification license card or wall license card issued in his
37 or her name by the Department of Health pursuant to s. 456.013
38 and one of the following documents issued in his or her name:

39 (a) A current driver's license;

40 (b) An identification card issued by the state;

41 (c) A valid passport issued by the Department of State of
42 the United States;

43 (d) A valid I-551 permanent residence card; or

44 (e) A valid employment authorization document.

45 (2) Upon request by a law enforcement officer, a person who
46 provides or offers to provide massage services for compensation,
47 or on behalf of a massage establishment or for any business,
48 shall present to the law enforcement officer the wallet-size
49 identification license card or wall license card issued in his
50 or her name by the Department of Health pursuant to s. 456.013
51 and one of the following documents issued in his or her name:

52 (a) A current driver's license;

53 (b) An identification card issued by the state;

54 (c) A valid passport issued by the Department of State of
55 the United States;

56 (d) A valid I-551 permanent residence card; or

57 (e) A valid employment authorization document.

58 (3) A person may not offer or provide massage services for

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59 compensation, or on behalf of a massage establishment or for any
60 business, without being in possession of a valid wallet-size
61 identification license card or wall license card issued in his
62 or her name by the Department of Health pursuant to s. 456.013
63 and one of the following documents issued in his or her name:

64 (a) A current driver's license;

65 (b) An identification card issued by a state;

66 (c) A valid passport issued by the Department of State of
67 the United States;

68 (d) A valid I-551 permanent residence card; or

69 (e) A valid employment authorization document.

70 (4) Any person who operates a massage establishment
71 pursuant to s. 480.043 shall maintain valid work authorization
72 documents on the premises for each employee who is not a United
73 States citizen. Valid work authorization documents for an
74 employee who is not a United States citizen include the
75 following documents issued in the employee's name:

76 (a) A valid I-551 permanent residence card; or

77 (b) A valid employment authorization document.

78 (5) Upon request by a law enforcement officer, any person
79 who operates a massage establishment shall present valid work
80 authorization documents on the premises for each employee who is
81 not a United States citizen. Valid work authorization documents
82 for an employee who is not a United States citizen include the
83 following documents issued in the employee's name:

84 (a) A valid I-551 permanent residence card; or

85 (b) A valid employment authorization document.

86 (6) A person may not operate or otherwise manage a massage
87 establishment without maintaining valid work authorization

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88 documents on the premises for each employee who is not a United
89 States citizen. Valid work authorization documents for an
90 employee who is not a United States citizen include the
91 following documents issued in the employee's name:

92 (a) A valid I-551 permanent residence card; or

93 (b) A valid employment authorization document.

94 (7) A person may not use a massage establishment licensed
95 pursuant to s. 480.043, including any place, structure,
96 building, trailer, conveyance, or any other part thereof, for
97 the purpose of lewdness, assignation, or prostitution as defined
98 in s. 796.07.

99 (8) A person who violates any provision of this section
100 commits:

101 (a) A misdemeanor of the second degree for the first
102 violation, punishable as provided in s. 775.082 or s. 775.083.

103 (b) A misdemeanor of the first degree for the second
104 violation, punishable as provided in s. 775.082 or s. 775.083.

105 (c) A felony of the third degree for the third or
106 subsequent violation, punishable as provided in s. 775.082, s.
107 775.083, or s. 775.084.

108 Section 2. This act shall take effect October 1, 2010.