

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVES Lukens, Boesenecker,
and Hartsook

1 Amend the Transportation, Housing, and Local Government Committee
2 Report, dated April 2, 2024, page 3, after line 1 insert:

3 "Page 6 of the printed bill, lines 10 and 11, strike "SUBSECTIONS
4 (4)(c.5)(VI) AND (4)(c.5)(VII)" and substitute "SUBSECTION
5 (4)(c.5)(VI)".".

6 Page 4, after line 16 insert:

7 "Page 10 of the bill, line 1, strike "GOVERNMENT AND THE".

8 Page 10 of the bill, strike lines 2 through 4 and substitute
9 "GOVERNMENT."..

10 Page 4, line 18, strike "(3.5)(a)" and substitute "(3.5)".

11 Page 4, line 23, strike "(I)" and substitute "(a)".

12 Page 4, strike lines 27 through 33 and substitute:

13 "(b) A PROSPECTIVE EMPLOYEE SUBMIT TO A BACKGROUND CHECK
14 BEFORE COMMENCING EMPLOYMENT WITH A MASSAGE FACILITY; AND
15 (c) A PROSPECTIVE OPERATOR OR OWNER SUBMIT TO A
16 BACKGROUND CHECK AT LEAST THIRTY DAYS BEFORE, AS APPLICABLE,
17 BEING GRANTED A LICENSE TO OPERATE A MASSAGE FACILITY OR
18 ASSUMING AN OWNERSHIP INTEREST IN A MASSAGE FACILITY THAT WOULD
19 MAKE THE PROSPECTIVE OWNER AN OWNER.".".

20 Page 5 of the report, after line 7 insert:

21 "Page 10 of the printed bill, line 26, strike "or similar crimes;" and
22 substitute "or similar crimes;".

23 Page 11 of the bill, strike lines 3 through 6 and substitute:

24 "(E) The applicant has a pending criminal action that involves or
25 is related to the offenses described in subsection (4)(a)(IV)(C) or
26 (4)(a)(IV)(D) of this section, or".".

27 Page 5 of the report, strike lines 8 through 15 and substitute:

1 "Page 11 of the bill, after line 6 insert:

2 "(F) The applicant has one or more previous revocations or
3 suspensions of a license to operate a massage facility;

4 (G) AN EMPLOYEE OF THE MASSAGE FACILITY FOR WHICH THE
5 APPLICANT HAS FILED AN APPLICATION FOR A LICENSE HAS NOT SUBMITTED
6 TO A REQUIRED BACKGROUND CHECK BEFORE COMMENCING EMPLOYMENT
7 WITH THE MASSAGE FACILITY PURSUANT TO SUBSECTIONS (4)(C) AND
8 (4)(C.5) OF THIS SECTION; OR

9 (H) THE APPLICANT OR AN OWNER OR PROSPECTIVE OWNER OF THE
10 MASSAGE FACILITY FOR WHICH THE APPLICANT HAS FILED AN APPLICATION
11 FOR A LICENSE HAS NOT SUBMITTED TO A REQUIRED BACKGROUND CHECK
12 PURSUANT TO SUBSECTIONS (4)(C) AND (4)(C.5) OF THIS SECTION AT LEAST
13 THIRTY DAYS BEFORE, AS APPLICABLE, BEING GRANTED A LICENSE TO
14 OPERATE THE MASSAGE FACILITY OR ASSUMING AN OWNERSHIP INTEREST
15 IN A MASSAGE FACILITY THAT WOULD MAKE THE PROSPECTIVE OWNER AN
16 OWNER."".

17 Page 5 of the report, after line 19 insert:

18 "Page 12 of the bill, line 23, strike "SECTION;" and substitute "SECTION
19 OR".

20 Page 12 of the bill, strike lines 25 through 27.

21 Page 13, of the bill, line 4, strike "SECTION;" and substitute "SECTION OR".

22 Page 13 of the bill, strike lines 6 through 8 and substitute "SECTION
23 16-22-103; AND".".

24 Page 5 of the report, line 23, after "CHECK" insert "AT LEAST THIRTY DAYS
25 BEFORE ASSUMING AN OWNERSHIP INTEREST IN A MASSAGE FACILITY THAT
26 WOULD MAKE THE PROSPECTIVE OWNER AN OWNER".

27 Page 5 of the report, line 27, strike "strike "SECTION;" and substitute
28 "SECTION OR".

29 Page 5 of the report, strike lines 29 through 31 and substitute "DESCRIBED
30 IN SECTION 16-22-103.".

31 Page 5 of the report, line 33, strike "EITHER:".

32 Page 6 of the report, line 1, strike "(I) HAS" and substitute "HAS".

- 1 Page 6 of the report, lines 2 and 3 strike "SECTION; OR.
- 2 (II) HAS" and substitute "SECTION.
- 3 (c) A LICENSEE, OPERATOR, OR OWNER THAT LEARNS THAT A
- 4 PROSPECTIVE EMPLOYEE OR EMPLOYEE HAS".
- 5 Page 6 of the report, line 5, "SECTION;" and substitute "SECTION OR".
- 6 Page 6 of the report, strike lines 7 through 9 and substitute "DESCRIBED
- 7 IN SECTION 16-22-103 MAY HIRE THE PROSPECTIVE EMPLOYEE TO WORK
- 8 AT A MASSAGE FACILITY OR CONTINUE TO EMPLOY THE EMPLOYEE AT A
- 9 MASSAGE FACILITY IF THE LICENSEE, OPERATOR, OR OWNER BELIEVES
- 10 THAT EMPLOYING THE PROSPECTIVE EMPLOYEE OR EMPLOYEE DOES NOT
- 11 POSE A THREAT TO CUSTOMERS OF EMPLOYEES OF THE MASSAGE
- 12 FACILITY.".

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