

HB 1458-FN - AS INTRODUCED

2026 SESSION

26-3250

09/08

HOUSE BILL            ***1458-FN***

AN ACT                relative to the licensing of massage, reflexology, structural integration, and Asian bodywork facilities.

SPONSORS:            Rep. Layon, Rock. 13; Rep. Harriott-Gathright, Hills. 10; Rep. Lascelles, Hills. 14; Rep. Tripp, Rock. 13

COMMITTEE:          Executive Departments and Administration

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ANALYSIS

This bill establishes a licensure requirement to operate massage, reflexology, structural integration, and Asian bodywork facilities, establishes standards for the operation of such a facility, and provides penalties for failures to comply.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to the licensing of massage, reflexology, structural integration, and Asian bodywork facilities.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Purpose. Following the interim report of the commission to study human trafficking within  
2 illicit massage businesses, this act seeks to address the concern that a person with a criminal history  
3 including prostitution or human trafficking related charges may operate what appears to be a  
4 facility offering massage, reflexology, structural integration, or Asian bodywork therapy without  
5 holding a license for those services or without employing people with an appropriate license.  
6 Additionally, facilities which falsely claim to be legitimate businesses who participate in human  
7 trafficking commonly have trafficked people living in the business. For this reason, this act seeks to  
8 require a person to affirm that they have not been convicted of prostitution or other certain offenses  
9 in this or any other state, and to provide a method for appropriate government officials to view the  
10 entire facility without creating undue burden.

11 2 New Chapter; Massage, Reflexology, Structural Integration, and Asian Bodywork Facilities.  
12 Amend RSA by inserting after chapter 328-J the following new chapter:

13 CHAPTER 328-K

14 MASSAGE, REFLEXOLOGY, STRUCTURAL INTEGRATION, AND ASIAN BODYWORK  
15 FACILITIES

16 328-K:1 Purpose.

17 This chapter has been established for the sole purpose of addressing human trafficking in illicit  
18 massage businesses. The purposes of this section are to ensure that persons with convictions related  
19 to prostitution and human trafficking do not open businesses which purport to provide massage,  
20 reflexology, structural integration, and Asian bodywork therapy; and that trafficked persons are not  
21 living in such facilities.

22 328-K:2 Massage, Reflexology, Structural Integration, and Asian Bodywork Facilities License.

23 I. It shall be a misdemeanor for any person, as owner, manager, or agent, to open, establish,  
24 conduct, or maintain a massage, reflexology, structural integration, or Asian bodywork therapy  
25 facility in a commercial location without first having obtained a shop license from the board.  
26 Application for such shop license shall be made to the office of professional licensure and certification  
27 in writing and shall state the name and address of the owner of such shop, the shop's address, the  
28 business mailing address of the owner, and affirm that the applicant has not been convicted of  
29 prostitution or human trafficking related crimes in this or any state or country. The license shall be

1 issued within 14 days, unless the applicant is denied for cause within the 14 day period. Licenses  
2 under this section shall be conspicuously posted within the licensed establishment.

3 II. It shall be a misdemeanor for persons to reside in a massage, reflexology, structural  
4 integration, or Asian bodywork therapy facility that is located in a commercial facility.

5 III. Any licensed massage therapist, reflexologist, structural integrator, or Asian bodywork  
6 therapist shall, upon written application accompanied by the required fees, receive a license to  
7 operate a massage, reflexology, structural integration, or Asian bodywork therapy facility in this  
8 state.

9 IV. In the event of a change of location of any facility licensed under this chapter and upon  
10 notice thereof, the office of professional licensure and certification shall issue a transfer of licensure  
11 of such facility to its new location. The board may take disciplinary action, in accordance with RSA  
12 310, against any shop license upon a finding that such shop fails to comply with this chapter or the  
13 rules adopted by the board overseeing the licensed professions in the facility, or has committed  
14 professional conduct as defined in RSA 310. Nothing in this section shall be construed to prevent the  
15 board from taking disciplinary action in accordance with RSA 310 against any licensee managing or  
16 working at a shop.

17 V. In addition to licenses issued under paragraph III, the board may issue a license to an  
18 owner of a massage, reflexology, structural integration, or Asian bodywork therapy facility who does  
19 not personally engage in massage, reflexology, structural integration, or Asian bodywork therapy,  
20 provided the facility shall fulfill all requirements for licensure and provided further that the owner  
21 has paid the required license fee for such facility and employs a licensed massage, reflexology,  
22 structural integration, or Asian bodywork therapy facility as manager in the facility. However, this  
23 section shall not authorize such owner to practice massage, reflexology, structural integration, or  
24 Asian bodywork therapy unless the owner has a massage, reflexology, structural integration, or  
25 Asian bodywork therapy license.

26 VI. A massage, reflexology, structural integration, or Asian bodywork therapy facility license  
27 shall not be required for licensed individuals to practice massage, reflexology, structural integration,  
28 or Asian bodywork therapy at any non-commercial location including but not limited to their own  
29 residence or the residence of the client receiving services.

30 VII. The office of professional licensure and certification shall adopt rules, pursuant to RSA  
31 541-A, relative to:

32 (a) The form and content of the facilities license application;

33 (b) The fee for license application;

34 (c) The disqualifying convictions for ownership or operation of a massage, reflexology,  
35 structural integration, or Asian bodywork therapy facility;

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1                   (d) Procedures for access to all rooms and spaces in a massage, reflexology, structural  
2 integration, or Asian bodywork therapy facility if a complaint of a violation of paragraph II has been  
3 made to the office of professional licensure and certification; and

4                   (e) A schedule of administrative fines for violations of this section.

5                   3 Effective Date. This act shall take effect 90 days.

**HB 1458-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the licensing of massage, reflexology, structural integration, and Asian bodywork facilities.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	Indeterminable Increase		
<i>Revenue Fund</i>	Office of Professional Licensure and Certification Fund			
<b>Expenditures*</b>	\$0	\$403,000+	\$316,000+	\$326,000+
<i>Funding Source</i>	Office of Professional Licensure and Certification Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	\$0	Indeterminable		
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	Indeterminable		

**METHODOLOGY:**

This bill establishes a license for massage, reflexology, structural integration and Asian Bodywork facilities for the sole purpose of addressing human trafficking in illicit massage businesses.

The Office of Professional Licensure and Certification (OPLC) states that this bill requires hiring three new positions a paralegal, a chief inspector, and an inspector, and purchasing two vehicles to support field inspections (see cost breakdown in table below). The OPLC anticipates that some of these costs will be offset by licensing and administrative fees, as well as fines and penalties resulting from disciplinary actions. However, not all enforcement actions result in recoverable costs, making full cost recovery uncertain. The OPLC also notes that the bill does not provide sufficient funding to cover all anticipated expenditures, and the agency's current budget cannot absorb the additional costs without impacting other operations.

<b>ESTIMATED FISCAL IMPACT (ROUNDED)</b>			
	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
Investigative Paralegal Salary and Benefits	\$101,000	\$102,000	\$107,000
Inspector (Compliance Officer-4) Salary and Benefits	\$101,000	\$106,000	\$107,000
Chief Inspector (Compliance Officer-5) Salary and Benefits	\$101,000	\$106,000	\$110,000
Two Vehicles and Maintenance for Vehicles	\$100,000	\$2,000	\$2,000
<b>Total Estimated Cost</b>	<b>\$403,000</b>	<b>\$316,000</b>	<b>\$326,000</b>

Additionally, the bill establishes multiple processes that are inconsistent with the standardized licensure and disciplinary frameworks set forth in RSA 310. The OPLC anticipates that such deviations are likely to result in procedural inefficiencies and increased administrative costs. Therefore, the total impact of the bill is an indeterminable increase in state expenditures.

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: [https://gencourt.state.nh.us/lba/Budget/Fiscal\\_Notes/JudicialCorrectionalCosts.pdf](https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf)

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association