



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### H.B. 717

132nd General Assembly  
(H. State & Local Government)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (L_132_3150-1)
<b>Township authority to license persons performing massage</b>	Retains this authority.	Eliminates the authority of a township to license persons performing massage in the unincorporated area of the township. Instead, a township that regulates massage establishments must require that all persons performing massage therapy have a state-issued license. <i>(R.C. 503.41(E), 503.45, and 503.46.)</i>
<b>Municipal corporation authority to license persons performing massages</b>	Municipal corporations have authority under the Home Rule Amendment to the Ohio Constitution to adopt police, sanitary, and similar regulations as are not in conflict with general laws, which probably includes registering massage establishments to the extent a regulation does not conflict with general laws of the state. <i>(Ohio Const., Art. XVIII, sec. 3.)</i>	Purports to require a municipal corporation that regulates massage establishments to require that massage therapy be performed only by a person having a state-issued license. <i>(R.C. 715.61.)</i>

Topic	Previous Version (As Introduced)	Sub. Version (L_132_3150-1)
<b>Allowable state-issued licenses for performing massage therapy</b>	<p>Allows a township to require persons performing massage to have a state-issued license to provide the following: massage therapy, barber services, cosmetology services, nursing services, medical services, acupuncture or oriental medicine, or chiropractic services.</p> <p>Also allows a recent graduate of a massage therapy program to perform massage therapy while working toward the license. (R.C. 503.411.)</p>	<p>Same, but <i>requires</i> a township to require persons performing massage to have one of the state-issued licenses, and includes services provided as an occupational therapist, physical therapist, or athletic trainer. (R.C. 503.411.)</p> <p>Eliminates this provision.</p>
<b>Sexual activity as a criminal offense under current law</b>	Retains the offense.	Eliminates the criminal offense of performing certain sexual activities during a massage in a massage establishment in the unincorporated area of a township. (R.C. 503.42(D), conforming changes in R.C. 503.41 and 503.50.)
<b>Communicable diseases</b>	Retains the provision.	Eliminates the current law provision allowing a township to require persons performing massage to undergo periodic physical exams to determine if the person has a communicable disease. (R.C. 503.47(D).)
<b>Jurisdiction for appeals</b>	No provision.	Narrows the jurisdiction where a person appealing a board of township trustees' order denying or revoking a massage establishment certificate may file an appeal to only the court of common pleas in the county where the township is located. (R.C. 503.48.)

Topic	Previous Version (As Introduced)	Sub. Version (L_132_3150-1)
<b>Massage therapist definition</b>	No provision.	<p>Standardizes the definition of "massage therapist." (R.C. 503.40, 715.61, 2927.17, and 4731.04.)</p> <p>Eliminates the current law requirement that massage be done for "the treatment of disorders." (R.C. 4731.04, conforming change in R.C. 503.40 and 2927.17.)</p> <p>Specifies that massage therapy generally does not include manipulation of reproductive organs, perineum, rectum, or anus unless performed by prescription or by under the supervision of a physician. (R.C. 4731.04.)</p> <p>Changes references to "masseur" to "massage therapist." (R.C. 503.40 and 503.42.)</p>