

# Enrolled Senate Bill 97

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Board of Massage Therapists and Office of Regulatory Streamlining)

CHAPTER .....

AN ACT

Relating to licensing authority of State Board of Massage Therapists; amending ORS 687.061 and 687.071.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 687.061 is amended to read:

687.061. (1) Licenses issued under ORS 687.011 to 687.250, 687.895 and 687.991 expire on *[December 31 of all even-numbered years for massage therapists and may be renewed every other year thereafter on application to the State Board of Massage Therapists and payment of the renewal fee by December 1 of the license year]* **the date established by the State Board of Massage Therapists by rule and may be renewed after payment of the renewal fee established by the board.** If the renewal fee is not paid by *[December 1, a delinquent fee shall be paid]* **the expiration date established by the board, a delinquency fee must be paid prior to renewal.** *[Renewal of]* Licenses may be *[made]* **renewed** within three years after the date of expiration upon payment of the renewal fee *[for the license year plus the delinquent fee]* **and the delinquency fee established by the board.**

(2) An individual who practices massage without holding a valid unexpired license issued under ORS 687.011 to 687.250, 687.895 and 687.991 is subject to disciplinary action and civil penalty by the board, injunction and criminal prosecution. No disciplinary action, civil penalty or criminal proceeding shall be initiated under this section after the date that a renewal and delinquency fee is paid. However, payment of a renewal and delinquency fee does not stay any disciplinary action, civil penalty or criminal proceeding already assessed or initiated.

**SECTION 2.** ORS 687.071 is amended to read:

687.071. (1) The State Board of Massage Therapists shall impose fees for the following:

- (a) Massage therapist license **issuance or renewal.**
- (b) Examinations and reexaminations.
- (c) Inactive status.
- (d) Delinquency in renewal of a license.
- (e) Temporary practice permit.
- (f) Application for massage license examination.

(2) If the effective period of the initial massage therapist license is to be less than 12 months by reason of the *[statutorily required]* expiration date **established by rule of the board**, the required license fee shall be prorated to represent one-half of the biennial rate.

(3) The board shall examine or reexamine any applicant for a massage therapist license who pays a fee for each examination and who meets the requirements of ORS 687.051.

(4) All moneys received by the board shall be paid into the account created by the board under ORS 182.470 and are appropriated continuously to the board and shall be used only for the administration and enforcement of ORS 687.011 to 687.250, 687.895 and 687.991.

**Passed by Senate February 8, 2005**

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Secretary of Senate

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President of Senate

**Passed by House May 20, 2005**

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Speaker of House

**Received by Governor:**

.....M,....., 2005

**Approved:**

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Governor

**Filed in Office of Secretary of State:**

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Secretary of State