

SENATE BILL NO. 234

INTRODUCED BY W. CURDY, M. DUNWELL, J. MORIGEAU, S. WEBBER, J. WINDY BOY, B. CARTER, J. COHENOUR, D. HAYMAN, J. KARLEN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING FINGERPRINT-BASED BACKGROUND CHECKS FOR MASSAGE THERAPY LICENSURE; AMENDING SECTION 37-33-502, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Criminal record background check.** (1) Each applicant for licensure as a massage therapist shall submit a full set of the applicant's fingerprints to the board for the purpose of obtaining a state and federal criminal history background check.

(2) Each applicant for licensure shall pay all fees charged in relation to obtaining the state and federal criminal history background check.

(3) The board may require a licensee who is renewing a license to submit a full set of the licensee's fingerprints with associated fees to the board for the purpose of obtaining a state and federal criminal history background check.

(4) The Montana department of justice may share the fingerprint data obtained under subsection (1) or (3) with the federal bureau of investigation.

**Section 2.** Section 37-33-502, MCA, is amended to read:

**"37-33-502. Qualifications for licensure.** (1) To be eligible for licensure as a massage therapist as provided in 37-33-501, an applicant:

- (a) shall submit an application on a form provided by the department;
- (b) shall include with the application the application fee set by the board;
- (c) must possess a high school diploma or its equivalent;
- (d) must be at least 18 years of age; ~~and~~

1 (e) must be of good moral character; and  
 2 (f) shall submit a full set of the applicant's fingerprints to the board to facilitate a fingerprint-based  
 3 criminal record background check by the state department of justice and the federal bureau of investigation, as  
 4 provided in [section 1].

5 (2) The applicant, in addition to the requirements established in subsection (1), is required to:

6 (a) successfully complete a massage therapy program of a minimum of 500 hours of study that  
 7 meets or exceeds the curriculum guidelines established by any program or organization accredited by the  
 8 national commission for certifying agencies or its equivalent or successor and receive a passing score on an  
 9 examination prescribed by the board; or

10 (b) possess an equivalent current license, certification, or registration in good standing from  
 11 another state."

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 13 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an  
 14 integral part of Title 37, chapter 33, part 5, and the provisions of Title 37, chapter 33, part 5, apply to [section 1].

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 16 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2025.

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 18 **NEW SECTION. Section 5. Applicability.** [This act] applies to an application for licensure as a  
 19 massage therapist submitted on or after July 1, 2025.

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