

**Health Commission
City and County of San Francisco
Resolution ##**

RESOLUTION TO SUPPORT THE CODIFICATION OF CALIFORNIA STATE A.B. 1147 AND ADDITIONAL AMENDMENTS TO DECREASE ILLICIT MASSAGE ESTABLISHMENTS AND HUMAN TRAFFICKING IN SAN FRANCISCO

WHEREAS, the Department of Public Health recognizes the legitimate practice of massage therapy and the many therapeutic benefits; and

WHEREAS, while there are many law-abiding massage establishments and practitioners, the association between massage establishments and illicit activity has been problematic, and thus escalating in recent years; and

WHEREAS, in recent years, state law has had a preemptive effect on the ability of cities and counties to use their authority to regulate and zone massage establishments; and

WHEREAS, the lack of regulation has led to a marked increase in the number of massage establishments that have opened in San Francisco, especially in some areas of the City that now exhibit a significant concentration of such establishments; and

WHEREAS, the lack of regulation has resulted in the opening of many illicit massage establishments in San Francisco and many other parts of California. These establishments are often related with the illegal activity and criminal acts such as human trafficking, as well as other human rights violations; and

WHEREAS, These illicit massage establishments are detrimental to health and safety of the community and also impact the local economy, as they drive legitimate business away, potentially affecting the vitality of neighborhoods and the provision of adequate services for residents and visitors alike; and

WHEREAS, Current regulation in the Health Code has been difficult to enforce and has propagated the closure and subsequent reopening of many illicit establishments; and

WHEREAS, In September 2013, the California State Legislature passed, and Governor Brown signed, Assembly Bill No. 1147 ("A.B. 1147"), which, among other things, amended state regulations of massage practitioners to remove restrictions on local land use authority and enables local governments to more effectively zone and regulate massage establishments; and

NOW BE IT RESOLVED, To ensure public health, safety and welfare, The Health Commission supports the codification of A.B. 1147 which will restore the ability of the Department of Public Health to regulate massage establishments and charge cost recovery fees; and

BE IT FURTHER RESOLVED, The Health Commission supports amending and augmenting Article 28 of the Health Code to give the Department of Public Health enforcement tools to more effectively deal with illicit massage establishments and provide a venue for the law-abiding massage industry to flourish.

I hereby certify that the San Francisco Health Commission at its meeting of _____ adopted the foregoing resolution.

Mark Morewitz
Executive Secretary to the Health Commission

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