



Mary Fallin
Governor

FILED

MAY 11 2016

**EXECUTIVE DEPARTMENT
EXECUTIVE ORDER 2016-13**

**OKLAHOMA SECRETARY
OF STATE**

Today, I signed into law Senate Bill 687, which establishes a statewide regulatory system for massage therapy, including setting the licensing qualifications, renewal procedures, and professional standards for massage therapists and massage therapy schools. Although the primary purpose of the statute is to regulate legitimate practitioners, it may also help to decrease the use of massage businesses as fronts for illegal activities like prostitution and human trafficking; the required training and professional examinations necessary to achieve licensure will generally differentiate bona fide massage therapists from more disreputable counterfeits.

Some localities have voiced concern regarding Section 4200.10(A) of Title 59, which reads, "The Massage Therapy Practice Act shall supersede all ordinances or regulations regulating massage therapists in any city, county, or political subdivision." These cities are worried that this provision could be broadly applied to local anti-vice ordinances and/or law enforcement activities. The plain language of this provision, however, as well the basic tenets of statutory construction, mean that ordinances targeting crimes like prostitution and human trafficking but only incidentally affecting massage therapy are still operative and should be enforced, where appropriate.

This law establishes consistent public health and safety standards across Oklahoma, including in unincorporated areas that are subject only to state law; avoids duplicative layers of regulation on small businesses; and complements local law enforcement initiatives targeting prostitution and human trafficking. For these reasons, I have signed Senate Bill 687 into law.

This Executive Order shall be distributed to the Executive Director of the Oklahoma State Board of Cosmetology and Barbering and to all of my Cabinet Secretaries, who shall cause the provisions of this Order to be implemented as herein directed.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 11th day of May, 2016.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin

MARY FALLIN

ATTEST

Chris Henge

CHRIS HENGE, SECRETARY OF STATE

CHRIS HENGE, SECRETARY OF STATE

048083