

LAWS OF DELAWARE
VOLUME 85
CHAPTER 229
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 136

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 53, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5317. Penalties.

(a) A person is guilty of a misdemeanor when the person does any of the following:

(1) Engages in the practice of massage or bodywork therapy or practices as a massage technician when not currently licensed as a massage or bodywork therapist or certified as a massage technician under this ~~chapter,~~
~~when guilty of engaging in the practice of massage or bodywork therapy or of practicing as a massage technician,~~
~~or using chapter.~~

(2) Uses in connection with the practitioner's own name, or otherwise assuming or using any title or description conveying, or tending to convey the impression that the practitioner is qualified to practice massage or bodywork therapy, or to act as a massage ~~technician, such offender shall be guilty of a misdemeanor.~~ technician.

(b) ~~Upon the~~ For a first offense, the practitioner shall be fined not less than \$100, nor more than \$500 for each offense. For a second or subsequent conviction, the fine shall be not less than \$500, nor ~~no~~ more than \$1,000 for each offense. ~~Superior Court shall have jurisdiction over all violations of this chapter.~~

~~(b)(c)~~ (c) Where a person unlawfully operates, manages, owns, or advertises for any massage establishment or place where massage and bodywork services are rendered, the person ~~shall be~~ is guilty of a class A misdemeanor, and may be imprisoned ~~not more than for up to 1 year or fined~~ year, receive a fine of up to not more than \$2300, or both. ~~Superior Court shall have jurisdiction over all violations of this chapter.~~

(d) A person who unlawfully removes a placard under § 5320 of this title is guilty of a class A misdemeanor, and may be imprisoned for up to 1 year, receive fine of up to \$2300, or both.

(e) Superior Court has jurisdiction over any violation under this section.

§ 5319. Qualifications of applicants for massage establishments.

(f) (2) If the inspecting official requests access to doors locked under this subsection during an inspection, the doors must be opened immediately. A person who refuses to immediately open a locked door during an inspection is unlawfully operating or managing the massage establishment under § ~~5317(b)~~ 5317(c) of this title.

§ 5320. Unlicensed practice violations; penalties.

(a) A placard, as provided by the Attorney General, ~~shall~~ must be prominently displayed at ~~all~~ any ~~entrances~~ entrance of an establishment ~~establishment~~ that ~~have failed to obtain~~ has not obtained a valid license or ~~have~~ has a license that is suspended, revoked, or expired. The placard may not be removed unless the removal is approved by the Division.

Approved September 26, 2025