

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0687.01 Christopher McMichael x4775

HOUSE BILL 26-1257

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A BILL FOR AN ACT

101 **CONCERNING THE LOCAL REGULATION OF MASSAGE FACILITIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law authorizes a local government to license and regulate the operation of massage facilities within the local government's jurisdiction and to prevent the operation of illicit massage businesses, which are businesses that engage in massage but also engage in human-trafficking-related offenses. For the purpose of local enforcement, the bill expands the definition of "illicit massage business" to include a massage business that engages in crimes other than human-trafficking-related offenses.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
3rd Reading Unamended
March 31, 2026

SENATE
Amended 2nd Reading
March 30, 2026

HOUSE
3rd Reading Unamended
March 12, 2026

HOUSE
Amended 2nd Reading
March 11, 2026

Current law states that if a local government adopts a resolution or ordinance to establish business licensure requirements or to prohibit unlawful activities relating to illicit massage businesses, the resolution or ordinance must not be more restrictive than the requirements set forth in state law. The bill removes this limitation. The bill also allows a local government to impose local licensing requirements in addition to those requirements prescribed in state law.

Current law allows a local government to impose an administrative fee not to exceed \$150 for issuing or renewing a license. The bill removes the \$150 cap on such fees. Current law exempts businesses that held licenses before August 10, 2022, from the administrative fees. The bill removes this exemption.

Current law allows a local government to deny, revoke, or suspend a license under certain circumstances. The bill allows a local government to establish additional grounds to deny, revoke, or suspend a license.

Current law prohibits a person from owning a massage facility if the person:

- Has not submitted to a required background check at least 30 days before assuming an ownership interest in the massage facility; or
- Has been convicted of or entered a plea of nolo contendere that is accepted by the court for any of certain enumerated offenses.

The bill provides that, if a local government establishes business licensure requirements for massage facilities, the resolution or ordinance adopted by the local government must prohibit ownership of massage facilities by the types of persons that are prohibited from ownership in current law.

Current law states that preventing the operation of illicit massage businesses is a matter of statewide concern, and licensing and regulation of massage facilities is a matter of mixed statewide and local concern. The bill states that preventing the operation of illicit massage businesses is a matter of mixed statewide and local concern.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 30-15-401.4, **amend**
3 (1)(a)(I), (1)(a)(II), (1)(a)(III), (1)(a)(IV) introductory portion,
4 (1)(a)(IV)(A), (1)(b)(I), (2)(d), (3)(a), (3.5)(c), (4)(a) introductory portion,
5 (4)(a)(II), (4)(a)(IV) introductory portion, (4)(a)(XI.5) introductory
6 portion, (4)(a)(XI.5)(C), (4)(a)(XII) introductory portion, (4)(a)(XII)(D),

1 (4.5)(a) introductory portion, (4.5)(a)(I), (5) introductory portion, (6), (7)
2 introductory portion, (7)(g)(II), and (7)(h)(III); and **add** (1)(a)(I.5),
3 (1)(a)(II.5), (1)(a)(III.5), (1)(a)(IX), (1)(a)(X), (3)(d), (4)(a)(XIII), and
4 (7)(i) as follows:

5 **30-15-401.4. Statewide policy to prevent the operation of illicit**
6 **massage businesses - local regulation authorized - background checks**
7 **required - legislative declaration - definitions.**

8 (1) (a) The general assembly finds and declares that:

9 (I) Illicit massage businesses present a facade of legitimate
10 services, concealing that the primary business is the sex and labor
11 trafficking of victims who are trapped in these businesses. THE
12 REPUTATION AND SUCCESS OF LEGITIMATE MASSAGE THERAPY BUSINESSES
13 IS DENIGRATED AND UNDERMINED BY INDIVIDUALS WHO CONCEAL
14 UNLAWFUL ACTIVITIES, SUCH AS HUMAN TRAFFICKING, BY FALSELY POSING
15 AS MASSAGE THERAPY BUSINESSES.

16 (I.5) THE OPERATION OF ILLICIT MASSAGE THERAPY BUSINESSES IS
17 DANGEROUS TO THE PUBLIC AND CAN RESULT IN UNLAWFUL SEXUAL
18 ACTIVITIES, HUMAN TRAFFICKING, ILLEGAL BUILDING IMPROVEMENTS,
19 ZONING VIOLATIONS, AND NUISANCE ACTIVITIES;

20 (II) Human trafficking is a growing problem throughout Colorado.
21 FROM 1977 UNTIL 2015, THE COLORADO MASSAGE PARLOR CODE
22 AUTHORIZED LOCAL GOVERNMENTS TO REGULATE MASSAGE PARLORS
23 THROUGH LICENSURE PROGRAMS. IN 2014, A SUNSET REVIEW
24 RECOMMENDED SUNSETTING THE MASSAGE PARLOR CODE BASED ON A
25 VIEW THAT THE CODE WAS NOT "A SIGNIFICANT FACTOR IN THE FIGHT
26 AGAINST PROSTITUTION" AND WAS NOT NECESSARY TO PROTECT THE
27 PUBLIC HEALTH, SAFETY, AND WELFARE. THE COLORADO MASSAGE

1 PARLOR CODE WAS REPEALED IN 2015 BY SENATE BILL 15-122,
2 DISMANTLING DOZENS OF LOCAL LICENSING SYSTEMS THAT LOCAL
3 GOVERNMENTS HAD ENACTED TO ADDRESS HUMAN TRAFFICKING.

4 (II.5) THE "MESSAGE THERAPY PRACTICE ACT", ARTICLE 235 OF
5 TITLE 12, WAS ENACTED IN 2008 TO REGULATE THE PROFESSION OF
6 MESSAGE THERAPY AND TO PROVIDE FOR CONSISTENT STATEWIDE
7 CERTIFICATION AND OVERSIGHT OF MESSAGE THERAPISTS. THE "MESSAGE
8 THERAPY PRACTICE ACT" PERMITS LOCAL GOVERNMENTS TO INSPECT
9 MESSAGE THERAPY LICENSES AND BUSINESS PREMISES WHERE MESSAGE
10 THERAPY IS CONDUCTED TO ENSURE COMPLIANCE WITH APPLICABLE LAWS.

11 (III) All local governments in the state already have authority to
12 enact resolutions or ordinances to establish licensing authorities to
13 regulate or otherwise regulate massage facilities and to deter and shut
14 down illicit massage facilities WHERE THE FACILITIES EXIST OR ARE
15 REASONABLY LIKELY TO OCCUR; and

16 (III.5) IN 2018, THROUGH ITS AUTHORITY AS A HOME RULE
17 MUNICIPALITY, THE CITY OF AURORA ENACTED AN ORDINANCE TO
18 REGULATE MESSAGE FACILITIES TO COMBAT HUMAN TRAFFICKING BY
19 FOCUSING DIRECTLY ON THE PERPETRATORS OF TRAFFICKING AND THE
20 DETERRENCE OF UNLAWFUL BEHAVIOR AS AN ALTERNATIVE TO
21 TRADITIONAL LAW ENFORCEMENT APPROACHES. OTHER MUNICIPALITIES
22 FOLLOWED SUIT AND THE GENERAL ASSEMBLY SUBSEQUENTLY ENACTED
23 HOUSE BILL 22-1300 IN 2022 TO AUTHORIZE COUNTIES TO ENACT SIMILAR
24 REGULATIONS.

25 (IV) Because preventing the operation of illicit massage facilities
26 by requiring current and prospective operators, owners, and employees of
27 massage facilities to submit to periodic background checks is a matter of

1 ~~statewide concern and licensing~~ and other regulation of massage facilities
2 is a matter of mixed statewide and local concern, ~~that~~ AND BECAUSE local
3 governments have significant discretion to ~~address~~ ADOPT ORDINANCES
4 AND RESOLUTIONS in accordance with local needs, it is necessary,
5 appropriate, and in the best interest of all Coloradans to:

6 (A) Require ~~uniformly throughout the state as a matter of~~
7 ~~statewide policy~~, that every current and prospective operator, owner, and
8 employee of a massage facility submit to a background check, which
9 generally means a fingerprint-based criminal history record check, as
10 required by this section; and

11 (IX) LOCAL REGULATION OF MASSAGE FACILITIES HAS BEEN
12 EFFECTIVE IN REDUCING THE NUMBER OF ILLICIT MASSAGE BUSINESSES,
13 DETERRING THE LOCATION OF NEW ILLICIT MASSAGE BUSINESSES, AND
14 FOCUSING ON THE BEHAVIOR OF PERPETRATORS OF HUMAN TRAFFICKING;
15 AND

16 (X) THE LOCAL REGULATION OF MASSAGE FACILITIES,
17 IMPLEMENTED CONSISTENTLY WITH THE "MESSAGE THERAPY PRACTICE
18 ACT", RECOGNIZES THAT MESSAGE THERAPY IS A LEGITIMATE
19 HEALTH-CARE PROFESSION THAT PROVIDES BENEFITS TO THE RESIDENTS
20 OF COLORADO.

21 (b) The general assembly further finds and declares that:

22 (I) A local government may adopt a resolution or ordinance to
23 establish business licensure requirements to regulate massage facilities or
24 to regulate and prohibit unlawful activities AT MASSAGE FACILITIES for the
25 sole purpose of deterring illicit massage businesses, and preventing
26 human trafficking, PROTECTING LEGITIMATE MESSAGE THERAPY
27 BUSINESSES, AND SAFEGUARDING AND PROMOTING PUBLIC HEALTH,

1 SAFETY, AND WELFARE;

2 (2) As used in this section, unless the context otherwise requires:

3 (d) "Illicit massage business" means a business that ~~may provide~~
4 PROVIDES massage ~~but~~ AND:

5 (I) Engages in human-trafficking-related offenses, as described in
6 ~~sections~~ SECTION 18-3-503 ~~and~~ OR 18-3-504; OR

7 (II) COMMITS OTHER OFFENSES AS DEFINED BY STATE LAW OR
8 LOCAL ORDINANCE.

9 (3) (a) In addition to any other powers, a local government may
10 adopt a resolution or ordinance to establish business licensure
11 requirements or to regulate and prohibit unlawful activities to prevent the
12 operation of illicit massage businesses that engage in human
13 trafficking-related offenses as described in sections 18-3-503 and
14 18-3-504 ~~If a local government adopts a resolution or ordinance to~~
15 ~~establish business licensure requirements pursuant to subsection (4) of~~
16 ~~this section or to prohibit unlawful activities pursuant to subsection (5) of~~
17 ~~this section, the resolution or ordinance must not be more restrictive than~~
18 ~~the requirements set forth in this section~~ OR COMMIT OTHER OFFENSES AS
19 DEFINED BY STATE LAW OR LOCAL ORDINANCE.

20 (d) ON AND AFTER AUGUST 13, 2026, WHEN ADOPTING A
21 RESOLUTION OR ORDINANCE PURSUANT TO THIS SECTION, A LOCAL
22 GOVERNMENT SHALL CONSIDER THE IMPACTS OF THE RESOLUTION OR
23 ORDINANCE ON LEGITIMATE MASSAGE THERAPY BUSINESSES AND
24 CONDUCT OUTREACH TO MASSAGE THERAPISTS AND MASSAGE THERAPY
25 BUSINESSES IN THE LOCAL GOVERNMENT'S JURISDICTION AND STATEWIDE
26 ORGANIZATIONS OF MASSAGE THERAPISTS.

27 (3.5) Except as otherwise provided in subsection (3)(c) of this

1 section, a local government shall establish a process in accordance with
2 34 U.S.C. sec. 41101, which must be established by ordinance or
3 resolution, in accordance with 34 U.S.C. sec. 41101; must meet the
4 criteria established by the federal bureau of investigation in implementing
5 34 U.S.C. sec. 41101; and must be performed in accordance with section
6 24-33.5-424.5, to require that, as a condition for a person remaining as or
7 becoming an operator, owner, or employee:

8 (c) A prospective operator or owner submit to a background check
9 performed in accordance with section 24-33.5-424.5 at least thirty days
10 before, as applicable, being granted a license to operate a massage facility
11 or assuming an ownership interest in a massage facility that would make
12 the prospective owner an owner.

13 (4) (a) If a local government adopts a resolution or ordinance to
14 establish business licensure requirements for massage facilities as set
15 forth in subsection (3)(a) of this section, the business licensure
16 requirements may ~~only~~ include:

17 (II) Requiring a reasonable administrative fee ~~not to exceed one~~
18 ~~hundred fifty dollars~~ for issuing or renewing licensure applications. The
19 fee must not be based on the number of employees. ~~This subsection~~
20 ~~(4)(a)(II) applies only to new businesses applying for a license or renewal~~
21 ~~on or after August 10, 2022. Businesses that hold a license before August~~
22 ~~10, 2022, are exempt from the administrative fees described in this~~
23 ~~subsection (4)(a)(II)~~ THE ADMINISTRATIVE FEE ADOPTED BY THE LOCAL
24 GOVERNMENT MUST BE REASONABLY RELATED TO THE COSTS OF THE
25 LOCAL GOVERNMENT IN ADMINISTERING THE RESOLUTION OR ORDINANCE
26 AND THE LICENSING OF MASSAGE FACILITIES. A FEE THAT EXCEEDS FIVE
27 HUNDRED DOLLARS IS PRESUMED TO BE UNREASONABLE UNLESS THE

1 LOCAL GOVERNMENT ESTABLISHES THAT A FEE GREATER THAN FIVE
2 HUNDRED DOLLARS IS NECESSARY TO COVER THE LOCAL GOVERNMENT'S
3 COSTS OF ADMINISTERING THE RESOLUTION OR ORDINANCE AND THE
4 LICENSING OF MASSAGE FACILITIES. THE FEE MAY BE ADJUSTED FOR
5 INFLATION OR DEFLATION BEGINNING ON JANUARY 1, 2028, AND ON
6 JANUARY 1 OF EACH YEAR THEREAFTER. AS USED IN THIS SUBSECTION
7 (4)(a)(II), "INFLATION OR DEFLATION" MEANS THE ANNUAL PERCENTAGE
8 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF
9 LABOR STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR
10 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID FOR BY URBAN
11 CONSUMERS. THE LOCAL GOVERNMENT MAY ROUND THE ADJUSTED FEE
12 AMOUNT UPWARD OR DOWNWARD TO THE NEAREST DOLLAR.

13 (IV) Allowing a licensing authority, or a THE licensing authority's
14 designee, to deny an application FOR REASONS DESCRIBED IN THE
15 ORDINANCE OR RESOLUTION ADOPTED BY THE LOCAL GOVERNMENT,
16 INCLUDING if:

17 (XI.5) Granting ~~the~~ A licensing authority, or the licensing
18 authority's designees, authority to revoke or suspend a license FOR
19 REASONS DESCRIBED IN THE ORDINANCE OR RESOLUTION ADOPTED BY THE
20 LOCAL GOVERNMENT, INCLUDING if:

21 (C) An owner of the licensed massage facility has been convicted
22 of or entered a plea of nolo contendere that is accepted by the court for an
23 offense listed in subsection (4)(a)(IV)(C) of this section or is registered
24 as a sex offender or is required by law to register as a sex offender, as
25 described in section 16-22-103; ~~and~~

26 (XII) Granting a licensing authority, or THE licensing authority's
27 designees, the authority to revoke or suspend a license for violating

1 prohibited acts pursuant to subsection (5) of this section. A licensing
2 authority, or the licensing authority's designees, may temporarily suspend
3 a license ~~with~~ AND SCHEDULE a hearing ~~to be scheduled~~ within fifteen
4 days ~~when~~ AFTER the licensing authority MAKES FINDINGS AS DESCRIBED
5 IN THE ORDINANCE OR RESOLUTION ADOPTED BY THE LOCAL GOVERNMENT
6 OR finds:

7 (D) The licensee failed to permit an inspection at a time the
8 massage facility was open for business; AND

9 (XIII) ANY OTHER PROVISIONS RELATED TO THE BUSINESS
10 LICENSURE OR OPERATION OF MASSAGE FACILITIES THAT ARE DEEMED
11 NECESSARY BY THE LOCAL GOVERNMENT FOR THE PROTECTION OF PUBLIC
12 HEALTH, SAFETY, AND WELFARE, SO LONG AS THE RESOLUTION OR
13 ORDINANCE DOES NOT CONFLICT WITH THE REGULATION OF THE PRACTICE
14 OF MASSAGE THERAPY PURSUANT TO ARTICLE 235 OF TITLE 12.

15 (4.5) (a) ~~A person is prohibited from being an owner if the person~~
16 ~~either~~ IF A LOCAL GOVERNMENT ADOPTS A RESOLUTION OR ORDINANCE TO
17 ESTABLISH BUSINESS LICENSURE REQUIREMENTS FOR MASSAGE FACILITIES
18 IN ACCORDANCE WITH THIS SECTION, THE BUSINESS LICENSURE
19 REQUIREMENTS MUST PROHIBIT A PERSON FROM OWNING A MASSAGE
20 FACILITY IF THE PERSON:

21 (I) Has not submitted to a required background check at least
22 thirty days before assuming an ownership interest in a massage facility
23 that would make the prospective owner an owner pursuant to subsections
24 (4)(c) and (4)(c.5) of this section; or

25 (5) A local government may adopt a resolution or ordinance to
26 prohibit activities to prevent the operation of illicit massage businesses
27 that engage in human trafficking-related offenses as described in sections

1 18-3-503 and 18-3-504. Prohibited activities MAY include:

2 (6) (a) If authorized by the ~~local government~~ COUNTY resolution
3 or ordinance, a law enforcement officer may follow the penalty
4 assessment procedure described in section 16-2-201 for any violation of
5 the prohibitions set forth in subsection (5) of this section. As part of the
6 ~~local government~~ COUNTY ordinance or resolution authorizing the penalty
7 assessment procedure, the ~~local government~~ COUNTY may adopt a
8 graduated fine schedule for violations of the prohibitions set forth in
9 subsection (5) of this section. A graduated fine schedule may provide for
10 increased penalty assessments for repeat offenses by the same person.

11 (b) A ~~local government~~ COUNTY may specify in the resolution or
12 ordinance that a massage facility that engages in two or more violations
13 of the resolution or ordinance is a public nuisance, as described in section
14 16-13-303, unless the violation is already a public nuisance, as described
15 in section 16-13-303. The county attorney of a county, the city attorney
16 of a city and county, ~~the city or town attorney of a municipality~~, or the
17 district attorney acting pursuant to section 16-13-302 may bring an action
18 in the district court of the county for an injunction against the massage
19 facility that violates the resolution or ordinance.

20 (7) A RESOLUTION OR ORDINANCE ADOPTED BY A LOCAL
21 GOVERNMENT PURSUANT TO THIS SECTION MUST NOT CONSIDER ANY OF
22 THE FOLLOWING TO BE A massage facility: ~~does not include:~~

23 (g) A place of business where a person offers to perform or
24 performs massage therapy:

25 (II) As part of a public or charity event in which the primary
26 purpose is not to provide massage therapy; and

27 (h) A place of business where a licensed massage therapist

1 practices as a solo practitioner and:

2 (III) Does not maintain or operate a table shower; AND

3 (i) A HOTEL OR RESORT WITH AT LEAST FIFTY ROOMS, AT WHICH
4 MASSAGE SERVICES ARE PROVIDED AS AN ANCILLARY AMENITY.

5 **SECTION 2.** In Colorado Revised Statutes, 31-15-401, **add** (1)(s)
6 as follows:

7 **31-15-401. General police powers.**

8 (1) In relation to the general police power, the governing bodies
9 of municipalities have the following powers:

10 (s) TO LICENSE AND REGULATE THE ESTABLISHMENT AND
11 OPERATION OF MASSAGE FACILITIES TO PREVENT HUMAN TRAFFICKING
12 AND THE OPERATION OF ILLICIT MASSAGE FACILITIES IN ACCORDANCE
13 WITH SECTION 30-15-401.4.

14 **SECTION 3.** In Colorado Revised Statutes, 31-15-407, **amend**
15 (1) as follows:

16 **31-15-407. Statewide policy to prevent the operation of illicit**
17 **massage businesses - background checks required - legislative**
18 **declaration.**

19 (1) The general assembly finds and declares that because
20 preventing the operation of illicit massage businesses, as defined in
21 section 30-15-401.4, ~~is a matter of statewide concern, and licensing and~~
22 ~~regulation of massage facilities~~ is a matter of mixed statewide and local
23 concern, it is necessary, appropriate, and in the best interest of all
24 Coloradans to require, uniformly throughout the state as a matter of
25 statewide policy, that every current and prospective operator, owner, and
26 employee of a massage facility submit to a background check, as defined
27 in section 30-15-401.4 (2)(a.5), which generally means a

1 fingerprint-based criminal history record check as required by section
2 30-15-401.4.

3 **SECTION 4. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2026 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.