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Replace lines 1903 through 1907 on pages 68 through 69 with the following:

~~(c) The board is declared to be a quasi-judicial body, and the members or the employees of the board are granted immunity from civil liability and shall not be liable for damages therefrom when acting in the performance of their duties as described in this chapter.~~
The members, officers, executive director, employees, and representatives of the board shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the individual against whom the claim is made had a reasonable basis for believing occurred within the scope of board employment, duties, or responsibilities. Nothing in this subsection shall be construed to protect any individual from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct



25 of that individual. The procurement of insurance of any
26 type by the board does not in any way compromise or limit
27 the immunity granted by this subsection."

28
29 Replace lines 2139 through 2142 on page 77 with the
30 following:

31 (a) ~~Pursuant to Section 36-1-12, the members and~~
32 ~~employees of the board are granted immunity from civil~~
33 ~~liability and may not be liable for damages when acting~~
34 ~~in the performance of their duties under this article.~~
35 The members, officers, executive director, employees, and
36 representatives of the board shall be immune from suit
37 and liability, both personally and in their official
38 capacity, for any claim for damage to or loss of property
39 or personal injury or other civil liability caused by or
40 arising out of any actual or alleged act, error, or
41 omission that occurred, or that the individual against
42 whom the claim is made had a reasonable basis for
43 believing occurred within the scope of board employment,
44 duties, or responsibilities. Nothing in this subsection
45 shall be construed to protect any individual from suit or
46 liability for any damage, loss, injury, or liability
47 caused by the intentional, willful, or wanton misconduct
48 of that individual. The procurement of insurance of any



49 type by the board does not in any way compromise or limit
50 the immunity granted by this subsection.

51

52 Replace lines 2795 through 2799 on page 100 with the
53 following:

54 (g) ~~The board may sue and be sued in its official~~
55 ~~name. Absent negligence, wantonness, recklessness, or~~
56 ~~deliberate misconduct, members of the board are immune~~
57 ~~from liability for all good faith acts performed in the~~
58 ~~execution of their duties of the board.~~ The members,
59 officers, executive director, employees, and
60 representatives of the board shall be immune from suit
61 and liability, both personally and in their official
62 capacity, for any claim for damage to or loss of property
63 or personal injury or other civil liability caused by or
64 arising out of any actual or alleged act, error, or
65 omission that occurred, or that the individual against
66 whom the claim is made had a reasonable basis for
67 believing occurred within the scope of board employment,
68 duties, or responsibilities. Nothing in this subsection
69 shall be construed to protect any individual from suit or
70 liability for any damage, loss, injury, or liability
71 caused by the intentional, willful, or wanton misconduct
72 of that individual. The procurement of insurance of any



73 type by the board does not in any way compromise or limit
74 the immunity granted by this subsection.

75
76 Replace lines 3749 through 3752 on page 134 with the
77 following:

78 ~~(j) Absent negligence, recklessness, wantonness, or~~
79 ~~deliberate misconduct, members of the board are immune~~
80 ~~from liability for all good faith acts performed in the~~
81 ~~exercise of their duties as members of the board.~~ (h) The
82 members, officers, executive director, employees, and
83 representatives of the board shall be immune from suit
84 and liability, both personally and in their official
85 capacity, for any claim for damage to or loss of property
86 or personal injury or other civil liability caused by or
87 arising out of any actual or alleged act, error, or
88 omission that occurred, or that the individual against
89 whom the claim is made had a reasonable basis for
90 believing occurred within the scope of board employment,
91 duties, or responsibilities. Nothing in this subsection
92 shall be construed to protect any individual from suit or
93 liability for any damage, loss, injury, or liability
94 caused by the intentional, willful, or wanton misconduct
95 of that individual. The procurement of insurance of any
96 type by the board does not in any way compromise or limit



97 the immunity granted by this subsection."

98

99 Replace line 5050 on page 181 with the following:

100 (a) (1) There is created the Alabama Board of
101 Examiners in

102

103 Replace lines 5062 through 5065 on page 181 with the
104 following:

105 as prescribed and conferred by this chapter. ~~No~~
106 ~~member of the board shall be civilly liable for any act~~
107 ~~performed in good faith for the performance of his or her~~
108 ~~duties as a member of the board.~~

109 (2) The members, officers, executive director,
110 employees, and representatives of the board shall be
111 immune from suit and liability, both personally and in
112 their official capacity, for any claim for damage to or
113 loss of property or personal injury or other civil
114 liability caused by or arising out of any actual or
115 alleged act, error, or omission that occurred, or that
116 the individual against whom the claim is made had a
117 reasonable basis for believing occurred within the scope
118 of board employment, duties, or responsibilities. Nothing
119 in this subdivision shall be construed to protect any
120 individual from suit or liability for any damage, loss,



121 injury, or liability caused by the intentional, willful,
122 or wanton misconduct of that individual. The procurement
123 of insurance of any type by the board does not in any way
124 compromise or limit the immunity granted by this
125 subdivision.

126
127 Replace line 5206 on page 186 with the following:

128 Licensing Board; Act 2024-361, 2024 Regular Session,
129 now appearing in part as Sections 34-43A-2, 34-43A-5,
130 34-43A-6, 34-43A-8, 34-43A-10, 34-43A-11, and

131
132 Replace lines 5405 through 5408 on page 194 with the
133 following and reletter the subsequent subsections
134 accordingly:

135 ~~(h)~~ (f) An affirmative vote of a majority of the
136 members of the board shall be required to grant, suspend,
137 or revoke a license to practice massage therapy or a
138 license to operate a massage therapy establishment.

139
140 Replace lines 5418 through 5420 on page 194 with the
141 following:

142 ~~(k)~~ Members of the board are immune from liability
143 for all good faith acts performed in the execution of
144 their duties as members of the board. (g) The members,



145 officers, executive director, employees, and
146 representatives of the board shall be immune from suit
147 and liability, both personally and in their official
148 capacity, for any claim for damage to or loss of property
149 or personal injury or other civil liability caused by or
150 arising out of any actual or alleged act, error, or
151 omission that occurred, or that the individual against
152 whom the claim is made had a reasonable basis for
153 believing occurred within the scope of board employment,
154 duties, or responsibilities. Nothing in this subsection
155 shall be construed to protect any individual from suit or
156 liability for any damage, loss, injury, or liability
157 caused by the intentional, willful, or wanton misconduct
158 of that individual. The procurement of insurance of any
159 type by the board does not in any way compromise or limit
160 the immunity granted by this subsection.

161
162 Replace lines 5468 through 5471 on page 196 with the
163 following and renumber the subsequent subdivisions
164 accordingly:

165 ~~(3) Adopt an annual budget and authorize necessary~~
166 ~~expenditures from fees and other available~~
167 ~~appropriations. The expenditures of the board may not~~
168 ~~exceed the revenues of the board in any fiscal year.~~



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Replace line 5476 on page 196 with the following:

schools."

"§34-43A-8

(a) An individual desiring to be licensed as a
massage therapist shall apply to the board on forms
provided by the ~~board~~ executive director. Unless licensed
pursuant to subsection (b), an applicant for a license
shall submit evidence satisfactory to the board that he
or she has met all of the following requirements:

(1)a. Completed a minimum of 650 hours of instruction
which shall consist of all of the following:

1. One hundred hours of anatomy and physiology,
including 35 hours of myology, 15 hours of osteology, 10
hours of circulatory system, and 10 hours of nervous
system, with the remaining 30 hours addressing other body
systems at the discretion of the massage therapy school.

2. Two hundred fifty hours of basic massage therapy,
the contradistinctions of massage therapy, and related
touch therapy modalities, including a minimum of 50 hours
of supervised massage.

3. Fifty hours of business, hydrotherapy, first aid,
cardiopulmonary resuscitation, professional ethics, and
state massage therapy laws.



193 4. Two hundred fifty hours of electives as determined
194 by the massage therapy school.

195 b. The board, by rule, may increase the minimum
196 number of hours of instruction required for a license,
197 not to exceed the number of hours recommended by the
198 National Certification Board for Therapeutic Massage and
199 Bodywork.

200 c. In addition to paragraphs a. and b., to perform
201 therapeutic massage on an animal, a massage therapist
202 shall have also graduated from a nationally approved
203 program and completed at least 100 hours of postgraduate
204 training and education in animal anatomy, pathology, and
205 physiology for the specific type of animal upon which he
206 or she will perform therapeutic massage.

207 (2) Successfully passed a state board exam or a
208 national standardized examination approved by the board.
209 The board may approve other state exams on a case-by-case
210 basis.

211 (3) Completed a criminal history background check
212 pursuant to Section 34-43A-13(c).

213 (4) Paid all applicable fees.

214 (b) Notwithstanding the requirements listed in
215 subdivisions (a) (1) and (a) (2) ~~of subsection (a)~~, the
216 board may license an applicant who is licensed or



217 registered to practice massage therapy in another state
218 if the standards of practice or licensing of that state,
219 at the time the applicant was originally licensed or
220 registered, were equal to or stricter than the
221 requirements imposed by this chapter. All applicants may
222 be subject to an initial in-person board hearing
223 determined by the board.

224 (c) Upon receipt of an application, the board shall
225 notify the applicant that his or her application is
226 pending and shall also notify the applicant upon the
227 approval or rejection of his or her application. If an
228 application is rejected, the board shall notify the
229 applicant of the reasons for the rejection."

230 "§34-43A-10

231 (a) Applications for licensing and renewal of a
232 license shall be on forms provided by the ~~board~~ executive
233 director and shall be accompanied by the applicable fee.
234 A recent two-by-two inch photograph showing a frontal
235 view of the head and shoulders of the applicant for a
236 massage therapy or therapy instructor license and
237 applicant for a massage therapy establishment license,
238 taken no more than six months earlier, shall be submitted
239 with each application. All documents shall be submitted
240 in English.



241 (b) The board may deny the application of any
242 applicant who refuses to complete a criminal history
243 background check as required by the board and provided in
244 Section 34-43A-13(c).

245 (c) The board shall issue a license, on a pre-printed
246 sequentially numbered form, to each individual who
247 qualifies to be a massage therapist and to each qualified
248 applicant for a massage therapy establishment license. A
249 license issued by the board grants all professional
250 rights, honors, and privileges relating to the practice
251 of massage therapy.

252 (d) Each massage therapist shall display his or her
253 license in the manner specified by the board. Each
254 massage therapy establishment shall prominently post its
255 license and the license of each massage therapist who
256 practices within the massage therapy establishment in
257 plain sight at the massage therapy establishment.

258 (e) A license is the property of the board and shall
259 be surrendered upon demand of the board."

260 "§34-43A-11

261 (a) ~~With the exception of massage therapy schools,~~
262 ~~which register annually, each~~ Each license shall be
263 renewed ~~biennially,~~ on or before the anniversary date, by
264 forwarding to the board a renewal application accompanied



265 by the renewal fee. ~~Except as provided in Section~~
266 ~~34-43A-5(a)(3), any license not renewed biennially on or~~
267 ~~before the anniversary date shall expire.~~

268 (b) Each licensee, upon application for renewal of a
269 license, shall do both of the following:

270 (1) Submit evidence of satisfactory completion of the
271 continuing education requirements pursuant to Section
272 34-43A-19.

273 (2) Complete a new criminal history background check
274 pursuant to rules adopted by the board. The board may
275 deny the application for renewal of any licensee who
276 refuses to complete a criminal history background check
277 as required by the board.

278 (c) ~~Licenses are valid for two years from the date of~~
279 ~~issuance.~~ An individual whose license has expired and who
280 has ceased to practice massage therapy for a period of
281 not longer than five years may have his or her license
282 reinstated upon payment of a reactivation fee, the
283 submission of a renewal application, and evidence
284 satisfactory to the board that the applicant has
285 fulfilled continuing education requirements, completed a
286 criminal history background check as provided in Section
287 34-43A-13(c), paid the criminal history background check
288 fee, and passed the examination."



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Replace lines 5593 through 5595 on page 200 with the following:

~~(i) All members of the board shall be immune from individual civil liability while acting within the scope of their duties as board members, unless conduct is unreasonable.~~ (h) The members, officers, executive director, employees, and representatives of the board shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the individual against whom the claim is made had a reasonable basis for believing occurred within the scope of board employment, duties, or responsibilities. Nothing in this subsection shall be construed to protect any individual from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that individual. The procurement of insurance of any type by the board does not in any way compromise or limit the immunity granted by this subsection.



313 Replace lines 5889 through 5894 on page 211 with the
314 following:

315 ~~(a) The board is declared to be a quasi-judicial~~
316 ~~body. Absent negligence, wantonness, recklessness, or~~
317 ~~deliberate misconduct, the members and the employees of~~
318 ~~the board are granted immunity from civil liability and~~
319 ~~may not be liable for damages when acting in the~~
320 ~~performance of their duties under this chapter. The~~
321 members, officers, executive director, employees, and
322 representatives of the board shall be immune from suit
323 and liability, both personally and in their official
324 capacity, for any claim for damage to or loss of property
325 or personal injury or other civil liability caused by or
326 arising out of any actual or alleged act, error, or
327 omission that occurred, or that the individual against
328 whom the claim is made had a reasonable basis for
329 believing occurred within the scope of board employment,
330 duties, or responsibilities. Nothing in this subsection
331 shall be construed to protect any individual from suit or
332 liability for any damage, loss, injury, or liability
333 caused by the intentional, willful, or wanton misconduct
334 of that individual. The procurement of insurance of any
335 type by the board does not in any way compromise or limit
336 the immunity granted by this subsection.



337

338 Replace lines 7278 through 7280 on page 260 with the
339 following:

340 ~~(f) No member of the board shall be liable to civil~~
341 ~~action for any act performed in good faith in the~~
342 ~~performance of his or her duty pursuant to this~~
343 ~~chapter.~~ (g) The members, officers, executive director,
344 employees, and representatives of the board shall be
345 immune from suit and liability, both personally and in
346 their official capacity, for any claim for damage to or
347 loss of property or personal injury or other civil
348 liability caused by or arising out of any actual or
349 alleged act, error, or omission that occurred, or that
350 the individual against whom the claim is made had a
351 reasonable basis for believing occurred within the scope
352 of board employment, duties, or responsibilities. Nothing
353 in this subsection shall be construed to protect any
354 individual from suit or liability for any damage, loss,
355 injury, or liability caused by the intentional, willful,
356 or wanton misconduct of that individual. The procurement
357 of insurance of any type by the board does not in any way
358 compromise or limit the immunity granted by this
359 subsection."