

1 HB47
2 126526-2
3 By Representative Williams (J)
4 RFD: Public Safety and Homeland Security
5 First Read: 07-FEB-12
6 PFD: 01/23/2012

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8 SYNOPSIS: Under existing law, there is no requirement
9 for any lounge to post the National Human
10 Trafficking Resource Center Hotline.

11 This bill would require the posting of the
12 hotline.

13 A violation of this bill would be subject to
14 a fine not to exceed \$50 for each violation.

15 Amendment 621 of the Constitution of Alabama
16 of 1901, now appearing as Section 111.05 of the
17 Official Recompilation of the Constitution of
18 Alabama of 1901, as amended, prohibits a general
19 law whose purpose or effect would be to require a
20 new or increased expenditure of local funds from
21 becoming effective with regard to a local
22 governmental entity without enactment by a 2/3 vote
23 unless: it comes within one of a number of
24 specified exceptions; it is approved by the
25 affected entity; or the Legislature appropriates
26 funds, or provides a local source of revenue, to
27 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.

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9 A BILL
10 TO BE ENTITLED
11 AN ACT

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13 Relating to lounges; to provide for the posting of
14 the National Human Trafficking Resource Center Hotline in
15 certain establishments; to provide for a fine not to exceed
16 \$50 for each violation; and in connection therewith would have
17 as its purpose or effect the requirement of a new or increased
18 expenditure of local funds within the meaning of Amendment 621
19 of the Constitution of Alabama of 1901, now appearing as
20 Section 111.05 of the Official Recompilation of the
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) All persons owning any establishment
24 that requires a liquor license or alcoholic beverage license,
25 and that does not also have a food or beverage permit, or
26 both; any hotel that has been cited as a nuisance as defined
27 in Section 6-5-140 of the Code of Alabama 1975; any massage

1 parlor where an employee has been cited with violating Section
2 45-13-41, or where the establishment has been cited as a
3 nuisance as defined in Section 6-5-140; any airport, train
4 station, or bus station; and any business that provides
5 entertainment commonly called stripteasing or topless
6 entertaining or entertainment that has employees who are not
7 clad both above and below the waist shall post in a location
8 conspicuous to the public at the entrance of the business or
9 where such posters and notices are customarily posted, a
10 poster of no smaller than 8 1/2 by 11 inches in size that
11 states the following:

12 "If you or someone you know is being forced to
13 engage in any activity and cannot leave - whether it is
14 commercial sex, housework, farm work, or any other activity -
15 call the National Human Trafficking Resource Center Hotline at
16 1-888-373-7888 to access help and services.

17 "(1) Victims of human trafficking are protected
18 under U.S. law.

19 "(2) The Toll-free Hotline is:

20 "a. Available 24 hours a day, 7 days a week.

21 "b. Operated by a nonprofit, nongovernmental
22 organization.

23 "c. Anonymous and confidential.

24 "d. Accessible in 170 languages.

25 "e. Able to provide help, referral to services,
26 training, and general information."

1 This subsection shall not apply to businesses
2 providing entertainment in theaters, concert halls, art
3 centers, museums, or similar establishments that are devoted
4 primarily to the arts or theatrical performances, when the
5 performances that are presented are expressing matters of
6 serious literary, artistic, scientific, or political value.

7 (b) The poster shall be available on the Internet
8 website of all of the following:

9 (1) The Alabama Alcoholic Beverage Control Board
10 where documents associated with obtaining a liquor license or
11 alcoholic beverage license are customarily located.

12 (2) The Alabama Public Service Commission.

13 (3) The Alabama Department of Industrial Relations.

14 (c) The owners shall print the poster from any of
15 the Internet websites in subsection (b) or ask that the poster
16 be mailed for the cost of printing and first class postage and
17 post the sign in compliance with subsection (a).

18 (d) The Alcoholic Beverage Control Board, the Public
19 Service Commission, and the Department of Industrial Relations
20 shall post the sign on its Internet site in English, Spanish,
21 and any other language deemed appropriate by the Director of
22 the Alabama Department of Industrial Relations. The owners
23 shall obtain and post the posters in English, Spanish, and any
24 other languages deemed appropriate by the Director of the
25 Department of Industrial Relations.

26 (e) The Alcoholic Beverage Control Board, the Public
27 Service Commission, and the Department of Industrial Relations

1 shall provide each applicable business or establishment with
2 notice of mandatory compliance of this act.

3 (f) A person who violates this act shall be subject
4 to a fine not to exceed fifty dollars (\$50) for each
5 violation. The violation or noncompliance with this act, and
6 each day's continuance thereof, shall constitute a separate
7 and distinct violation.

8 Section 2. Although this bill would have as its
9 purpose or effect the requirement of a new or increased
10 expenditure of local funds, the bill is excluded from further
11 requirements and application under Amendment 621, now
12 appearing as Section 111.05 of the Official Recompilation of
13 the Constitution of Alabama of 1901, as amended, because the
14 bill defines a new crime or amends the definition of an
15 existing crime.

16 Section 3. This act shall become effective on
17 January 1, 2012, following its passage and approval by the
18 Governor, or its otherwise becoming law.