

1 SB382
2 117877-1
3 By Senator Mitchell
4 RFD: Governmental Affairs
5 First Read: 09-FEB-10

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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 This bill would make it a Class C
14 misdemeanor for a first violation; a Class B
15 misdemeanor for a second violation; and a Class A
16 misdemeanor for a third violation.

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

1 funds, or provides a local source of revenue, to
2 the entity for the purpose.

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

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11 A BILL
12 TO BE ENTITLED
13 AN ACT

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15 Relating to lounges; to provide for the posting of
16 the National Human Trafficking Resource Center Hotline in
17 certain establishments; to provide penalties; and in
18 connection therewith would have as its purpose or effect the
19 requirement of a new or increased expenditure of local funds
20 within the meaning of Amendment 621 of the Constitution of
21 Alabama of 1901, now appearing as Section 111.05 of the
22 Official Recompilation of the Constitution of Alabama of 1901,
23 as amended.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) A licensee who is the owner or
26 operator of any establishment that is licensed as a lounge
27 pursuant to Title 28 of the Code of Alabama 1975, and has a

1 liquor license or alcoholic beverage license, but does not
2 also have a food or beverage permit, or both, shall post in a
3 location conspicuous to the public at the place where the
4 licensee carries on the business for which the license is
5 granted, a poster of no smaller than 8 1/2 by 11 inches in
6 size that states all of the following:

7 "If you or someone you know is being forced to
8 engage in any activity and cannot leave - whether it is
9 commercial sex, housework, farm work, or any other activity -
10 call the National Human Trafficking Resource Center Hotline at
11 1-888-373-7888 to access help and services.

12 "(1) Victims of human trafficking are protected
13 under U.S. law.

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

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

16 "b. Operated by a nonprofit, nongovernmental
17 organization.

18 "c. Anonymous and confidential.

19 "d. Accessible in 170 languages.

20 "e. Able to provide help, referral to services,
21 training, and general information."

22 (b) The poster shall be available on the Internet
23 website of the Alabama Alcoholic Beverage Control Board where
24 documents associated with obtaining a liquor license or
25 alcoholic beverage license are customarily located.

1 (c) The licensee shall print the poster from the
2 Internet website of the board or ask the board to mail the
3 poster for the cost of printing and first class postage.

4 (d) The board shall post the sign on its Internet
5 site in English and Spanish. The licensee shall obtain and
6 post the posters in English, Spanish, and any other languages
7 mandated by the Voting Rights Act in the county where the
8 poster shall be posted. For all other languages mandated by
9 the Voting Rights Act in the county where the poster shall be
10 posted, the licensee shall request that the board translate
11 the poster into that, or those, particular language and mail
12 that, or those, particular posters to the licensee, where the
13 licensee shall pay for the cost of printing and first class
14 postage.

15 (e) The board shall provide each licensee with
16 notice of this act.

17 (f) A first violation of this act shall be a Class C
18 misdemeanor punishable by a fine or imprisonment, or both.
19 Upon a second violation, the offense shall be a Class B
20 misdemeanor punishable by fine or imprisonment, or both. Upon
21 a third violation, the offense shall be a Class A misdemeanor
22 punishable by a fine or imprisonment, or both.

23 Section 2. Although this bill would have as its
24 purpose or effect the requirement of a new or increased
25 expenditure of local funds, the bill is excluded from further
26 requirements and application under Amendment 621, now
27 appearing as Section 111.05 of the Official Recompilation of

1 the Constitution of Alabama of 1901, as amended, because the
2 bill defines a new crime or amends the definition of an
3 existing crime.

4 Section 3. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.