

1 SB50
2 134479-1
3 By Senator Brewbaker
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 10/17/2011

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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 and would provide penalties.

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

26 The purpose or effect of this bill would be
27 to require a new or increased expenditure of local

1 funds within the meaning of the amendment. However,
2 the bill does not require approval of a local
3 governmental entity or enactment by a 2/3 vote to
4 become effective because it comes within one of the
5 specified exceptions contained in the amendment.

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) Any hotel that has been cited as a
22 nuisance as defined in Sections 13A-12-110 to 13A-12-122,
23 inclusive, of the Code of Alabama 1975; any massage parlor
24 where an employee has been cited with violating Section
25 45-13-41, or where the establishment has been cited as a
26 nuisance as defined in Section 6-5-140; any airport, train
27 station, or bus station; and any business that provides

1 entertainment commonly called stripteasing or topless
2 entertaining or entertainment that has employees who are not
3 clad both above and below the waist shall post in a location
4 conspicuous to the public at the entrance of the business or
5 where such posters and notices are customarily posted, a
6 poster of no smaller than 8 1/2 by 11 inches in size that
7 states the following:

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

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

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

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

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

19 "c. Anonymous and confidential.

20 "d. Accessible in 170 languages.

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

23 This subsection shall not apply to businesses
24 providing entertainment in theaters, concert halls, art
25 centers, museums, or similar establishments that are devoted
26 primarily to the arts or theatrical performances, when the

1 performances that are presented are expressing matters of
2 serious literary, artistic, scientific, or political value.

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

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

8 (2) The Alabama Public Service Commission.

9 (3) The Alabama Department of Industrial Relations.

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

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

22 (e) The Alcoholic Beverage Control Board, the Public
23 Service Commission, and the Department of Industrial Relations
24 shall provide each applicable business or establishment with
25 notice of mandatory compliance of this act.

26 (f) A first violation of this act shall be
27 punishable by a fine of not more than five hundred dollars

1 (\$500). Upon a second violation, the offense shall be
2 punishable by a fine of not more than one thousand dollars
3 (\$1,000). Upon a third violation, the offense shall be
4 punishable by a fine of not to exceed two thousand dollars
5 (\$2,000).

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

14 Section 3. This act shall become effective on
15 January 1, 2013, following its passage and approval by the
16 Governor, or its otherwise becoming law.