

ASSEMBLY BILL NO. 336—ASSEMBLYMEN
BENITEZ-THOMPSON AND HAMBRICK

MARCH 16, 2015

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing human trafficking.
(BDR 52-166)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to human trafficking; requiring the Secretary of State to develop a model sign relating to the National Human Trafficking Resource Center Hotline; authorizing certain businesses to post the sign in certain areas; requiring certain sexually oriented businesses to post the sign in certain areas of the business; providing a civil penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill requires the Secretary of State to develop a model sign regarding the
2 National Human Trafficking Resource Center Hotline, and requires the Secretary of
3 State and the Department of Business and Industry to include the model sign on
4 their respective Internet websites. Under this bill, certain establishments are
5 authorized to post the sign in each women’s restroom on the premises of the
6 establishment. In addition, a taxicab or limousine operator may place the sign in the
7 back passenger compartment of his or her taxicab or limousine. However, this bill
8 requires a sexually oriented business to post the sign inside each women’s restroom
9 on the premises of the business. Additionally, under this bill, a sexually oriented
10 business that fails to post the sign: (1) for a first violation, must be given a warning
11 by the Attorney General or the district attorney of the county in which the business
12 or establishment is located and 30 days to correct the violation; and (2) for each
13 subsequent violation, is subject to a \$250 civil penalty for each 30-day period
14 during which the business fails to post the sign.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 597 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Each of the following businesses and other establishments*
4 *may, upon the availability of the model sign developed pursuant to*
5 *subsection 5, post a sign that complies with the requirements of*
6 *this section inside each women’s restroom on the premises of the*
7 *business or other establishment:*

8 (a) *A mass transit facility, including, without limitation, an*
9 *airport, bus station or train station;*

10 (b) *A rest area or truck stop;*

11 (c) *A massage establishment or public spa;*

12 (d) *An establishment licensed to sell alcoholic beverages by the*
13 *drink for consumption on the premises;*

14 (e) *A fast food restaurant;*

15 (f) *A hospital, independent center for emergency medical care*
16 *or any provider of health care or medical facility that primarily*
17 *serves women;*

18 (g) *A public high school; and*

19 (h) *An employment agency or employment office.*

20 2. *A taxicab motor carrier or an operator of a limousine may,*
21 *upon the availability of the model sign developed pursuant to*
22 *subsection 5, post a sign that complies with the requirements of*
23 *this section in the back passenger compartment of his or her taxi*
24 *or limousine, as applicable.*

25 3. *A sexually oriented business shall, upon the availability of*
26 *the model sign developed pursuant to subsection 5, post a sign that*
27 *complies with the requirements of this section inside each*
28 *women’s restroom on the premises of the business.*

29 4. *The sign developed pursuant to subsection 5 must contain*
30 *a notice that is clearly legible, written in English, Spanish and any*
31 *other language deemed appropriate by the Director of the*
32 *Department of Business and Industry, and in substantially the*
33 *following form:*

34
35 *Are you or a friend being forced into sex, or to work against*
36 *your will? Call the National Human Trafficking Resource*
37 *Center Hotline at (888) 373-7888 for help and services.*
38

39 5. *The Secretary of State shall develop a model sign as*
40 *described in subsection 4 in English, Spanish and any other*
41 *language deemed appropriate by the Director of the Department of*
42 *Business and Industry. The Secretary of State and the Department*



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1 of Business and Industry shall maintain the model sign on the
2 Internet websites maintained by the Secretary of State and the
3 Department, as applicable, in a format able to be downloaded by
4 an individual business or establishment.

5 6. The Secretary of State shall notify each sexually oriented
6 business of the requirement to post the model sign pursuant to
7 subsection 3.

8 7. The Secretary of State may solicit and accept donations of
9 signs that satisfy the requirements of this section from a nonprofit
10 organization or any other source.

11 8. A sexually oriented business that violates this section:

12 (a) For the first violation, must be given a warning by the
13 Attorney General or the district attorney of the county in which
14 the business is located and 30 days to comply with the provisions
15 of this section.

16 (b) For the second and any subsequent violation, is subject to a
17 civil penalty of not more than \$250. The Attorney General or the
18 district attorney of the county in which the business is located may
19 recover the civil penalty in a civil action brought in the name of
20 the State of Nevada in any court of competent jurisdiction.

21 ➔ Each 30-day period during which the business is not in
22 compliance with the provisions of this section constitutes a
23 separate violation.

24 9. As used in this section:

25 (a) "Employment agency" has the meaning ascribed to it in
26 NRS 611.020.

27 (b) "Employment office" has the meaning ascribed to it in
28 NRS 612.155.

29 (c) "Hospital" has the meaning ascribed to it in NRS 449.012.

30 (d) "Independent center for emergency medical care" has the
31 meaning ascribed to it in NRS 449.013.

32 (e) "Sexual conduct" has the meaning ascribed to it in
33 NRS 201.520.

34 (f) "Sexually oriented business":

35 (I) Means a business that:

36 (I) Offers a service intending to provide sexual
37 stimulation or sexual gratification to its patrons, including,
38 without limitation, an escort service, house of prostitution or bath
39 house;

40 (II) Engages in its principal business by use of an
41 employee or independent contractor who appears in the nude or
42 who exposes his or her genitals or the female breast; or

43 (III) Represents or implies that sexual conduct takes
44 place at the business location.



- 1 ***(2) Does not include a business operating under a***
- 2 ***nonrestricted license for gaming issued pursuant to NRS 463.170.***
- 3 ***(g) "Taxicab motor carrier" has the meaning ascribed to it in***
- 4 ***NRS 706.126.***

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