

Amendment No. 523

Assembly Amendment to Assembly Bill No. 336	(BDR 52-166)
Proposed by: Assembly Committee on Commerce and Labor	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MKM/BJF



Date: 4/16/2015

A.B. No. 336—Revises provisions governing human trafficking. (BDR 52-166)



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 businesses and other establishments;~~ certain sexually oriented businesses to post ~~an informational~~ the sign relating to the National Human Trafficking Resource Center Hotline; in certain areas of the business; providing a civil penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill requires ~~certain businesses and other establishments to post a sign regarding the National Human Trafficking Resource Center Hotline. This bill further requires the Department of Transportation and the Department of Business and Industry~~ the Secretary of State to develop a model sign regarding the National Human Trafficking Resource Center Hotline, and requires the Secretary of State and the Department of Business and Industry to include the model sign on their respective Internet websites. ~~A business or other establishment~~ Under this bill, certain establishments are authorized to post the sign in each women’s restroom on the premises of the establishment. In addition, a taxicab or limousine operator may place the sign in the back passenger compartment of his or her taxicab or limousine. However, this bill requires a sexually oriented business to post the sign inside each women’s restroom on the premises of the business. Additionally, under this bill, a sexually oriented business that fails to post ~~such a~~ the sign: (1) for a first violation, must be given a warning by the Attorney General or the district attorney of the county in which the business or establishment is located and ~~24 hours~~ 30 days to correct the violation; and (2) for each subsequent violation, is subject to a ~~\$500~~ \$250 civil penalty for each ~~24 hour~~ 30-day period during which the business ~~or establishment~~ fails to post the sign.

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 thereto a new
2 section to read as follows:

3 1. Each of the following businesses and other establishments ~~shall~~ may,
4 upon the availability of the model sign developed pursuant to subsection ~~3~~ 5,
5 post a sign that complies with the requirements of this section ~~in a conspicuous~~
6 location near the public entrance of the business or establishment or in another
7 conspicuous location in clear view of the public and employees where similar
8 signs are customarily posted) inside each women's restroom on the premises of
9 the business or other establishment:

10 ~~(a) An establishment found to maintain or permit a public nuisance relating~~
11 ~~to prostitution;~~

12 ~~(b) A mass transit facility, including, without limitation, an airport, bus~~
13 ~~station or train station;~~

14 ~~(c) A rest area or truck stop;~~

15 ~~(d) A massage ~~parlor~~ establishment or public spa;~~

16 ~~(e) An establishment licensed to sell alcoholic beverages by the drink~~
17 ~~for consumption on the premises;~~

18 ~~(f) A sexually oriented business;~~

19 ~~(g) A fast food restaurant;~~

20 ~~(h) A hospital, ~~for an~~ independent center for emergency medical care~~
21 ~~or~~

22 ~~(i) or any provider of health care or medical facility that primarily serves~~
23 ~~women;~~

24 ~~(j) A public high school; and~~

25 ~~(k) An employment agency or employment office.~~

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

30 3. A sexually oriented business shall, upon the availability of the model sign
31 developed pursuant to subsection 5, post a sign that complies with the
32 requirements of this section inside each women's restroom on the premises of the
33 business.

34 4. The sign ~~to be posted~~ developed pursuant to subsection ~~4~~ must be at
35 least 8 1/2 by 11 inches in size and ~~5~~ must contain a notice that is clearly legible,
36 written in English, Spanish and any other language deemed appropriate by the
37 Director of the Department of Business and Industry, and in substantially the
38 following form:

39
40 ~~If you or someone you know is~~ Are you or a friend being forced ~~to~~
41 engage in any activity and cannot leave ~~whether it is commercial~~ into
42 sex, ~~housework, farm~~ or to work for any other activity ~~call~~ against
43 your will? Call the National Human Trafficking Resource Center Hotline
44 at (888) 373-7888 ~~to access~~ for help and services.

45
46 ~~Victims of human trafficking are protected under the laws of the State~~
47 ~~of Nevada and the United States.~~

48 ~~The Hotline is:~~

49 ~~Available 24 hours a day, 7 days a week.~~

- ~~○ Toll free.~~
- ~~○ Operated by a nonprofit, nongovernmental organization.~~
- ~~○ Anonymous and confidential.~~
- ~~○ Accessible in 170 languages.~~
- ~~○ Able to provide help, referrals to services, training and general information.~~

~~3.7~~ 5. ~~The Department of Transportation and the Department of Business and Industry~~ Secretary of State shall develop a model sign as described in subsection 2 and include the sign, ~~4~~ in English, Spanish and any other language deemed appropriate by the Director of the Department of Business and Industry. ~~The Secretary of State and the Department of Business and Industry shall maintain the model sign on the Internet websites maintained by those Departments.~~

~~4.~~ Upon request from a business or other establishment listed in subsection 1, the Department of Transportation or the Department of Business and Industry shall send, by first class mail to the business or other establishment, a copy of the model sign developed pursuant to subsection 2 in English, Spanish and any other language deemed appropriate by the Director of the Department of Business and Industry.

~~5.~~ The Department of Transportation and the Department of Business and Industry ~~the Secretary of State and the Department,~~ as applicable, in a format able to be downloaded by an individual business or establishment.

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

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

~~6.7~~ 8. A sexually oriented business ~~for other establishment~~ that violates this section:

(a) For the first violation, must be given a warning by the Attorney General or the district attorney of the county in which the business ~~for establishment~~ is located and ~~24 hours~~ 30 days to comply with the provisions of this section.

(b) For the second and any subsequent violation, is subject to a civil penalty of not more than ~~\$500.~~ \$250. The Attorney General or the district attorney of the county in which the business ~~for establishment~~ is located may recover the civil penalty in a civil action brought in the name of the State of Nevada in any court of competent jurisdiction.

Each ~~24 hour~~ 30-day period during which the business ~~for establishment~~ is not in compliance with the provisions of this section constitutes a separate violation.

~~7.7~~ 9. As used in this section:

- (a) "Employment agency" has the meaning ascribed to it in NRS 611.020.
- (b) "Employment office" has the meaning ascribed to it in NRS 612.155.
- (c) "Hospital" has the meaning ascribed to it in NRS 449.012.
- (d) "Independent center for emergency medical care" has the meaning ascribed to it in NRS 449.013.
- (e) "Sexual conduct" has the meaning ascribed to it in NRS 201.520.
- (f) "Sexually oriented business" ~~means~~ :

(1) Means a business that:

~~(1)~~ (1) Offers a service intending to provide sexual stimulation or sexual gratification to its patrons, including, without limitation, an escort service, house of prostitution or bath house;

- 1 ~~1(2)~~ 1(II) *Engages in its principal business by use of an employee or*
2 *independent contractor who appears in the nude or who exposes his or her*
3 *genitals or the female breast; or*
4 ~~1(3)~~ 1(III) *Represents or implies that sexual conduct takes place at the*
5 *business location.*
6 1(2) *Does not include a business operating under a nonrestricted license*
7 *for gaming issued pursuant to NRS 463.170.*
8 1(g) *“Taxicab motor carrier” has the meaning ascribed to it in NRS 706.126.*