
DIGEST

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Hodges

HB No. 651

Abstract: Requires age and work status verification of employees in sexually oriented businesses to prevent human trafficking.

Proposed law creates the Human Trafficking Prevention Act.

Proposed law provides for legislative intent, policy, and purpose.

Proposed law provides definitions for various types of sexually oriented businesses.

Proposed law provides that, for purposes of proposed law, an employee is defined as any individual who performs any service on the premises of a sexually oriented business on a full-time, part-time, or contract basis, regardless of whether the individual is denominated as employee, independent contractor, agent, or otherwise.

Proposed law provides that an employee is not someone who is exclusively on the premises for repair or maintenance of the premises, or for the delivery of goods.

Proposed law requires that the operator of a sexually oriented business verify the age and employment status of each potential employee, and retain the documentation proving such eligibility to work, in his records for at least 3 years.

Proposed law requires that before hiring an employee, the operator shall conduct an interview from a questionnaire, provided by LWC, and retain the answers, for his record. This questionnaire includes leading questions to give an indication whether or not a potential employee could be a victim of human trafficking.

Proposed law requires that if an operator suspects that someone he has come into contact with is a victim of human trafficking, that he contact local law enforcement or the Trafficking Information and Referral Hotline.

Proposed law requires that notices be posted in English and Spanish, regarding human trafficking.

Proposed law directs the executive director of LWC to enforce and promulgate rules in the enforcement of proposed law.

Proposed law provides that for a 1st offense, an operator shall be fined not less than \$500 and not more than \$1000, or be imprisoned for not less than 30 days, nor more than 90 days, or both.

Proposed law provides that for the 2nd offense, an operator shall be fined not less than \$1000, and not more than \$5000, and his occupational license shall be suspended for a 30-day period.

Proposed law provides that for a 3rd offense, an operator's occupational license shall be revoked and he shall not thereafter be permitted to engage in the operation of a sexually oriented business in the state of Louisiana.

(Adds R.S. 23:1019.1-1019.8)