

2016 Regular Session

SENATE BILL NO. 377

BY SENATORS PEACOCK, ALARIO, APPEL, BARROW, BROWN, CARTER, GATTI,
HEWITT, JOHNS, LONG, MILKOVICH, MILLS, MIZELL,
MORRELL, GARY SMITH, TARVER, THOMPSON, WARD AND
WHITE

CRIMINAL PROCEDURE. Requires National Human Trafficking Resource Center hotline information to be posted at hotels. (8/1/16)

1 AN ACT
2 To amend and reenact R.S. 15:541.1(A), relative to the posting of the National Human
3 Trafficking Resource Center hotline; to require hotels to post information regarding
4 the hotline; to provide for the location of the posting; to provide for definitions; and
5 to provide for related matters.
6 Be it enacted by the Legislature of Louisiana:
7 Section 1. R.S. 15:541.1(A) is hereby amended and reenacted to read as follows:
8 §541.1. Posting of the National Human Trafficking Resource Center hotline;
9 content; languages; notice; civil penalty
10 A. All of the following establishments shall be required to post information
11 regarding the National Human Trafficking Resource Center hotline:
12 (1) Every massage parlor, spa, or hotel that has been found to be a public
13 nuisance for prostitution as set forth in R.S. 13:4711.
14 (2) Every strip club or other sexually-oriented business as set forth in R.S.
15 37:3558(C).
16 (3) Every ~~full-service~~ **full-service** fuel facility adjacent to an interstate
17 highway or highway rest stop.

1 (4) Every outpatient abortion facility as defined by R.S. 40:2175.3.

2 (5) **Every hotel as defined in this Paragraph. Each hotel shall post the**
3 **information in the same location where other employee notices required by state**
4 **or federal law are posted.**

5 (a) **For purposes of this Paragraph, "hotel" shall mean and include any**
6 **establishment, both public and private, engaged in the business of furnishing or**
7 **providing rooms and overnight camping facilities intended or designed for**
8 **dwelling, lodging, or sleeping purposes to transient guests and does not**
9 **encompass any hospital, convalescent or nursing home or sanitarium, or any**
10 **hotel-like facility operated by or in connection with a hospital or medical clinic**
11 **providing rooms exclusively for patients and their families.**

12 (b) **For purposes of this Paragraph, "hotel" shall not include bed and**
13 **breakfasts or camp and retreat facilities owned and operated by nonprofit**
14 **organizations exempt from federal income tax under Section 501(a) of the**
15 **Internal Revenue Code as an organization described in Section 501(c)(3) of the**
16 **Internal Revenue Code provided that the net revenue derived from the**
17 **organization's property is devoted wholly to the nonprofit organization's**
18 **purposes.**

19 (c) **For purposes of this Paragraph, "bed and breakfast" shall mean a**
20 **lodging facility having no more than ten guest rooms where transient guests are**
21 **fed and lodged for pay.**

22 * * *

The original instrument was prepared by Ashley Menou. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

SB 377 Reengrossed DIGEST 2016 Regular Session Peacock

Present law requires information regarding the National Human Trafficking Resource Hotline to be posted in the following establishments:

- (1) Every massage parlor, spa, or hotel that has been found to be a public nuisance for prostitution as set forth in R.S. 13:4711.

- (2) Every strip club or other sexually-oriented business as set forth in R.S. 37:3558(C).
- (3) Every full service fuel facility adjacent to an interstate highway or highway rest stop.
- (4) Every outpatient abortion facility as defined by R.S. 40:2175.3.

Present law requires the notice to be no smaller than eight and one-half inches by eleven inches, contain typed bold print in not less than 14 point font, and be printed in English, Louisiana French, Spanish, and any other languages the ATC commissioner requires.

Present law imposes a penalty for each violation to be enforced by departments exercising regulatory control or authority over the establishments required to post the hotline information.

Proposed law retains present law and adds requirement that hotels post information of the National Human Trafficking Hotline in the same location where other employee notices required by law are posted.

Proposed law defines hotel as any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guests and does not encompass any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

Proposed law provides that the term "hotel" does not include any bed and breakfasts, or camp and retreat facilities owned and operated by nonprofit organizations exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c)(3) of the Internal Revenue Code provided that the net revenue derived from the organization's property is devoted wholly to the nonprofit organization's purposes.

Proposed law defines "bed and breakfast" as a lodging facility having no more than ten guest rooms where transient guests are fed and lodged for pay.

Effective August 1, 2016.

(Amends R.S. 15:541.1(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Removes 30 or more room limitation in the definition of "hotel".
2. Excludes "bed and breakfasts" from the definition of "hotel".
3. Adds definition of "bed and breakfast".