
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 830 Original

2018 Regular Session

Stokes

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 defines the term sexually oriented business as well as the 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 three years.

Proposed law requires that before hiring an employee, the operator shall require the potential employee to answer a questionnaire, provided by La. Workforce Commission (LWC), and retain the answers for his record. This questionnaire includes 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 an potential employee or employee is a victim of human trafficking that he contact local law enforcement or the National Human Trafficking Resource Center Hotline within 24 hours.

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

Proposed law allows the executive director of LWC, the commissioner of the office of alcohol and tobacco control, or a law enforcement agency of the state or its political subdivisions to conduct an investigation of an operator for violations of proposed law and that if the investigation shows that an operator has violated proposed law, the agency representative may notify the attorney general who may pursue civil charges against the operator in the 19th Judicial District Court.

Proposed law provides that upon a finding that a violation has occurred, the court shall issue penalties as follows:

- (1) For a first violation, a fine of \$1,000.
- (2) For a second violation, a fine of \$5,000.
- (3) For a third and any subsequent violation, a fine of \$10,000.

(Adds R.S. 23:1019.1-1019.6)