

HOUSE BILL 258

C2

7lr1823
CF SB 221

By: **Delegates Morales, Anderson, Atterbeary, Conaway, Dumais, Moon, Queen, Sanchez, Sydnor, and Valentino-Smith**

Introduced and read first time: January 23, 2017

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 14, 2017

CHAPTER _____

1 AN ACT concerning

2 **Adult Entertainment Establishments – National Human Trafficking Resource**
3 **Center Hotline Information – Sign Posting Requirements**

4 FOR the purpose of requiring the owner of a certain adult entertainment establishment to
5 post a certain information sign in each restroom of the adult entertainment
6 establishment in a certain manner; requiring a certain agency that determines a
7 certain violation has occurred to notify the owner of the adult entertainment
8 establishment or the owner's agent of the violation; providing that the owner is
9 subject to a certain civil penalty if the owner does not post certain signs within a
10 certain period of time after receiving a certain notice; defining certain terms; and
11 generally relating to posting signs with information about the National Human
12 Trafficking Resource Center Hotline in adult entertainment establishments.

13 BY repealing and reenacting, without amendments,
14 Article – Business Regulation
15 Section 15–207(a)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Business Regulation
20 Section 19–103
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Business Regulation

15–207.

(a) (1) The Department shall design a sign that states the following:

“REPORT HUMAN TRAFFICKING: National Human Trafficking Resource
Center — 1–888–373–7888. CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

- Is being forced to have sex without consent
- Has had an ID or documents taken away
- Is being threatened by or is in debt to an employer
- Wants to leave a job but cannot freely do so.

TOLL–FREE. 24/7. CONFIDENTIAL. INTERPRETERS AVAILABLE.

This sign is required under State law.”

(2) The sign shall:

(i) be at least 3 by 5 inches in size;

(ii) contain the text required under paragraph (1) of this subsection
in English, Spanish, and any other languages required by the federal Voting Rights Act;

(iii) draw attention to the phone number of the National Human
Trafficking Resource Center Hotline by showing the phone number in bold type; and

(iv) be placed on the Department Web site.

19–103.

(a) (1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(2) “ADULT ENTERTAINMENT” MEANS LIVE ENTERTAINMENT:

(I) IN WHICH INDIVIDUALS APPEAR FOR PUBLIC VIEW IN A
STATE OF NUDITY OR PARTIAL NUDITY;

(II) THAT IS INTENDED TO PROVIDE SEXUAL STIMULATION OR
SEXUAL GRATIFICATION;

(III) THAT IS DISTINGUISHED OR CHARACTERIZED BY AN EMPHASIS ON MATERIAL THAT DEPICTS, DESCRIBES, OR RELATES TO:

1. HUMAN GENITALS IN A DISCERNIBLE STATE OF SEXUAL STIMULATION OR AROUSAL; OR

2. ACTS OF HUMAN MASTURBATION, SEXUAL INTERCOURSE, SODOMY, OR PHYSICAL CONTACT WITH AN INDIVIDUAL'S CLOTHED OR UNCLOTHED GENITALS, PUBIC AREA, BUTTOCKS, OR, IF THE INDIVIDUAL IS FEMALE, BREASTS; OR

(IV) THAT, APPLYING CONTEMPORARY STANDARDS, THE AVERAGE INDIVIDUAL WOULD FIND, TAKEN AS A WHOLE, APPEALS TO THE PRURIENT INTEREST.

(3) "ADULT ENTERTAINMENT ESTABLISHMENT" MEANS A BUSINESS ESTABLISHMENT WHERE ADULT ENTERTAINMENT IS OFFERED.

(4) ["truck stop"] "TRUCK STOP" means a facility:

[(1)] (I) the primary purpose of which is to provide services to long-haul truck drivers; and

[(2)] (II) that provides:

[(i)] 1. shower facilities to the truck drivers for a fee; or

[(ii)] 2. parking for the truck drivers' vehicles.

(b) (1) The owner of a privately owned bus station [or], truck stop, OR ADULT ENTERTAINMENT ESTABLISHMENT shall post the National Human Trafficking Resource Center Hotline information sign described in § 15-207 of this article in each restroom of the bus station [or], truck stop, OR ADULT ENTERTAINMENT ESTABLISHMENT.

(2) A sign required under this section shall be posted:

(i) on the inside of each stall door in the restroom; or

(ii) on the back of the door at the entrance to the restroom.

(c) (1) An agency that enforces this section and determines that a violation of this section has occurred shall notify the business owner of the bus station [or], truck stop, OR ADULT ENTERTAINMENT ESTABLISHMENT, or the business owner's agent, of the violation.

(2) If the business owner of the bus station [or], truck stop, **OR ADULT ENTERTAINMENT ESTABLISHMENT** does not post signs as required under this section within 24 hours after receiving the notice required under paragraph (1) of this subsection, the business owner is subject to a civil penalty not exceeding \$1,000.

(3) For each restroom in which a business owner fails to post a sign in accordance with this section, the business owner is subject to a separate civil penalty.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.