

1061

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. ORTIZ, J. RIVERA, JAFFEE, COOK, ROBINSON, CLARK, HOOPER -- Multi-Sponsored by -- M. of A. COLTON, DESTITO, MAYERSOHN, REILLY, SWEENEY, WEISENBERG -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the alcoholic beverage control law, in relation to promoting the education of the human trafficking information and referral hotlines to assist individuals from becoming or freeing themselves from any act of severe forms of sex trafficking

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. Presently, there is no law requiring
2 wine and beer establishments to post a notification regarding the
3 offense of human trafficking. About 80 percent of trafficking victims
4 are often forced into the sex-slave trade industry. In many of these
5 cases, women and men are forced to be hosts or servers in establishments
6 that serve alcohol in bars or entertainment clubs. Furthermore, outreach
7 services are widely unknown to victims of trafficking. The purpose of
8 this act is to promote the education of the federal toll free human
9 trafficking referral hotlines.
10 S 2. The alcoholic beverage control law is amended by adding a new
11 section 65-e to read as follows:
12 S 65-E. POSTING OF SIGNS RELATING TO HUMAN TRAFFICKING. 1. THE
13 AUTHORITY SHALL PREPARE, PRINT AND DISTRIBUTE ACROSS THE STATE TO ANY
14 PERSON, CORPORATION, PARTNERSHIP, OR OTHER BUSINESS ESTABLISHMENT WITH A
15 LICENSE TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AND
16 ANY ESTABLISHMENT THAT PERMITS ANY PERSON TO APPEAR ON LICENSED PREMISES
17 IN SUCH A MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF THE PUBIC
18 AREA, ANUS, VULVA OR GENITALS, OR ANY SIMULATION THEREOF, OR PERMIT ANY
19 FEMALE TO APPEAR IN SUCH A MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03705-01-1

1 PORTION OF THE BREAST BELOW THE TOP OF THE AREOLA, A SIGN OR POSTER
2 MEETING THE FOLLOWING SPECIFICATIONS:

3 (A) CONSPICUOUS LETTERING STATING "NOTICE ON HUMAN TRAFFICKING:
4 OBTAINING FORCED LABOR OR SERVICE IS A CRIME UNDER THE FEDERAL GOVERN-
5 MENT. IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF HUMAN TRAFFICKING, YOU
6 ARE ENCOURAGED EITHER TO CALL THE NATIONAL HUMAN TRAFFICKING RESOURCE
7 CENTER TOLL FREE NUMBER AT 1-888-373-7888 OR TO GET IMMEDIATE HELP CALL
8 THE TRAFFICKING IN PERSONS AND WORKER EXPLOITATION TASK FORCE COMPLAINT
9 LINE AT 1-888-428-7581 (VOICE AND TTY). YOU MAY REMAIN ANONYMOUS."

10 (B) (I) THE SIGN MUST BE AT LEAST EIGHT AND ONE-HALF INCHES HIGH AND
11 ELEVEN INCHES WIDE. THE ENGLISH NOTICE MUST COVER APPROXIMATELY
12 TWO-THIRDS OF THE SIGN, AND SPANISH AND ANY OTHER LANGUAGE THAT THE
13 AUTHORITY DEEMS NECESSARY TO DISPLAY ON THE NOTICE SHOULD COVER
14 ONE-THIRD OF THE SIGN.

15 (II) IF THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER TOLL FREE
16 NUMBER OR THE TRAFFICKING IN PERSONS AND WORKER EXPLOITATION TASK FORCE
17 COMPLAINT LINE NUMBER CHANGES, THE AUTHORITY IS REQUIRED TO REISSUE THE
18 SIGN OR POSTER WITH THE CHANGE WITHIN THIRTY DAYS TO ANY PERSON, CORPO-
19 RATION, PARTNERSHIP, OTHER BUSINESS ESTABLISHMENT WITH A LICENSE TO SELL
20 ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AND ANY ESTABLISH-
21 MENT THAT PERMITS ANY PERSON TO APPEAR ON LICENSED PREMISES IN SUCH A
22 MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF THE PUBIC AREA,
23 ANUS, VULVA OR GENITALS, OR ANY SIMULATION THEREOF, OR PERMIT ANY FEMALE
24 TO APPEAR IN SUCH A MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF
25 THE BREAST BELOW THE TOP OF THE AREOLA.

26 (C) ANY PERSON, CORPORATION, PARTNERSHIP, OR OTHER BUSINESS ESTABLISH-
27 MENT WITH A LICENSE TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE
28 PREMISES AND ANY ESTABLISHMENT THAT PERMITS ANY PERSON TO APPEAR ON
29 LICENSED PREMISES IN SUCH A MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY
30 PORTION OF THE PUBIC AREA, ANUS, VULVA OR GENITALS, OR ANY SIMULATION
31 THEREOF, OR PERMIT ANY FEMALE TO APPEAR IN SUCH A MANNER OR ATTIRE AS TO
32 EXPOSE TO VIEW ANY PORTION OF THE BREAST BELOW THE TOP OF THE AREOLA,
33 SHALL DISPLAY, IN AN UPRIGHT POSITION AND IN A CONSPICUOUS PLACE WHERE
34 IT CAN BE EASILY READ BY CLIENTELE AND EMPLOYEES OF THE ESTABLISHMENT,
35 SUCH SIGN OR POSTER UPON RECEIVING IT FROM THE AUTHORITY.

36 2. ANY PERSON, CORPORATION, PARTNERSHIP, OR OTHER BUSINESS ESTABLISH-
37 MENT WITH A LICENSE TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE
38 PREMISES AND ANY ESTABLISHMENT THAT PERMITS ANY PERSON TO APPEAR ON
39 LICENSED PREMISES IN SUCH A MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY
40 PORTION OF THE PUBIC AREA, ANUS, VULVA OR GENITALS, OR ANY SIMULATION
41 THEREOF, OR PERMIT ANY FEMALE TO APPEAR IN SUCH A MANNER OR ATTIRE AS TO
42 EXPOSE TO VIEW ANY PORTION OF THE BREAST BELOW THE TOP OF THE AREOLA,
43 WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A CIVIL
44 PENALTY, NOT TO EXCEED ONE HUNDRED DOLLARS FOR EACH DAY OF VIOLATION.

45 S 3. This act shall take effect immediately.