STATE OF NEW YORK

2167--A

2019-2020 Regular Sessions

IN SENATE

January 23, 2019

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Abuse -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Legislative findings. Presently, there is no law requiring wine and beer establishments to post a notification regarding the offense of human trafficking. About 80 percent of trafficking victims are often forced into the sex-slave trade industry. In many of these cases, women and men are forced to be hosts or servers in establishments that serve alcohol in bars or entertainment clubs. Furthermore, outreach services are widely unknown to victims of trafficking. The purpose of this act is to promote the education of the federal toll free human trafficking referral hotlines.

§ 2. The alcoholic beverage control law is amended by adding a new section 65-e to read as follows:

§ 65-e. Posting of signs relating to human trafficking. 1. The authority shall prepare, print and distribute across the state to any establishment that permits any person to appear on licensed premises in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva or genitals, or any simulation thereof, or permit any female to appear in such a manner or attire as to expose to view any portion of the breast below the top of the areola, a sign or poster meeting the following specifications:

(a) Conspicuous lettering stating "Notice on Human Trafficking: Obtaining forced labor or service is a crime under federal law. If you

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

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or someone you know is a victim of human trafficking, you are encouraged either to call the National Human Trafficking Resource Center toll free number at 1-888-373-7888 or to get immediate help call the Trafficking in Persons and Worker Exploitation Task Force Complaint Line at 1-888-428-7581 (voice and TTY). You may remain anonymous."

(b) (i) The sign must be at least eight and one-half inches high and eleven inches wide. The English notice must cover approximately two-thirds of the sign, and Spanish and any other language that the authority deems necessary to display on the notice should cover one-third of the sign.

(ii) If the National Human Trafficking Resource Center toll free number or the Trafficking in Persons and Worker Exploitation Task Force Complaint Line number changes, the authority is required to reissue the sign or poster with the change within thirty days to any person, corporation, partnership, other business establishment with a license to sell alcoholic beverages for consumption on the premises and any establishment that permits any person to appear on licensed premises in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva or genitals, or any simulation thereof, or permit any female to appear in such a manner or attire as to expose to view any portion of the breast below the top of the areola.

(c) Any person, corporation, partnership, or other business establishment with a license to sell alcoholic beverages for consumption on the premises and any establishment that permits any person to appear on licensed premises in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva or genitals, or any simulation thereof, or permit any female to appear in such a manner or attire as to expose to view any portion of the breast below the top of the areola, shall display, in an upright position and in a conspicuous place where it can be easily read by clientele and employees of the establishment, such sign or poster upon receiving it from the authority.

2. Any person, corporation, partnership, or other business establishment with a license to sell alcoholic beverages for consumption on the premises and any establishment that permits any person to appear on licensed premises in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva or genitals, or any simulation thereof, or permit any female to appear in such a manner or attire as to expose to view any portion of the breast below the top of the areola, who violates the provisions of this section shall be subject to a civil penalty, not to exceed one hundred dollars for each day of violation.

§ 3. This act shall take effect immediately.