

STATE OF NEW YORK

3374--A

Cal. No. 440

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

Introduced by Sens. BAILEY, BIAGGI, HINCHEY, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Abuse -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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. For the past several years, the toll-free telephone number of the National Human Trafficking hotline has been
2 posted on a New York state agency website and those locations where
3 victims may be present, including adult or sexually-oriented businesses,
4 have been encouraged to voluntarily display information posters. The
5 Hotline's 2019 data report shows that bars and strip clubs remain one of
6 the top three locations where sex and labor trafficking occurs. Most of
7 these trafficking victims are young women, the majority of whom arrive
8 from other countries. In order to combat this scourge, numerous other
9 states have now made it a requirement for alcoholic beverage licensees
10 that operate sexually-oriented establishments to post information on how
11 to call, text or otherwise contact the hotline. This bill will enhance
12 New York state's efforts to fight sex and labor trafficking.

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

15 § 65-e. Posting of signs relating to human trafficking. 1. The
16 authority shall require any person with a license to sell alcoholic
17 beverages for consumption on the premises who indicated, pursuant to
18

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

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1 paragraph (f) of subdivision one of section one hundred ten of this
2 chapter, that topless entertainment and/or exotic dancing, whether
3 topless or otherwise, including but not limited to, pole dancing and lap
4 dancing, would occur at the establishment, to display one or more signs
5 or posters designated by the authority. Any sign or poster so designated
6 shall meet the following specifications:

7 (a) Each sign or poster shall include information on human trafficking
8 and the toll free telephone number of the National Human Trafficking
9 hotline. The authority shall make any designated sign or poster avail-
10 able for download from its website or from one or more links posted on
11 its website or on the website of the office of temporary and disability
12 assistance as provided in section four hundred eighty-three-ff of the
13 social services law.

14 (b) (i) Any sign or poster must be at least eight and one-half inches
15 wide and eleven inches high.

16 (ii) If the National Human Trafficking hotline toll free number chang-
17 es, the authority shall notify each licensee that is subject to the
18 posting requirement of this section of the change and shall require the
19 display of one or more signs or posters with the new toll free number
20 within thirty days of such notification.

21 (iii) At a minimum, the licensee shall be required to display a bilin-
22 gual version of the sign or poster in English and Spanish or to display
23 one sign or poster in English and one sign or poster in Spanish. A
24 licensee may be required to display signs or posters in other languages
25 as determined by the authority.

26 (c) Any person with a license to sell alcoholic beverages for consump-
27 tion on the premises that is subject to the posting requirement of this
28 section shall display, in an upright position and in a conspicuous place
29 where it can be easily read by clientele and employees of the establish-
30 ment, any sign or poster required by the authority.

31 2. Any person who violates the provisions of this section shall be
32 subject to a civil penalty, not to exceed one hundred dollars for each
33 day of violation.

34 § 3. This act shall take effect on the thirtieth day after it shall
35 have become a law.