

HOUSE BILL No. 4056

January 22, 2015, Introduced by Reps. Heise, Hughes, Sarah Roberts, Webber, Sheppard, Maturen, Santana, Iden, Hovey-Wright and Neeley and referred to the Committee on Regulatory Reform.

A bill to create the human trafficking notification act; to require the posting of certain notices relating to human trafficking; to prescribe the powers and duties of certain state and local departments and agencies; and to provide a remedy.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "human
2 trafficking notification act".

3 Sec. 2. As used in this act:

4 (a) "Adult entertainment establishment" means either of the
5 following:

6 (i) An on-premises licensee that hold a topless activity permit
7 described in section 916(3) of the Michigan liquor control code of
8 1998, 1998 PA 58, MCL 436.1916.

9 (ii) Any other retail establishment that provides adult-

1 oriented entertainment in which performers disrobe or perform in an
2 unclothed state for entertainment.

3 (b) "Department" means the department of licensing and
4 regulatory affairs.

5 (c) "Human trafficking notice" means the notice described in
6 section 5.

7 Sec. 3. (1) The department of transportation shall post a
8 human trafficking notice on the premises of each rest stop and
9 welcome facility in this state in the manner described in this act
10 and as required by the department under this act.

11 (2) Each local unit of government that operates a rest stop or
12 welcome facility shall post a human trafficking notice on the
13 premises of that rest stop or welcome facility in the manner
14 described in this act and as required by the department under this
15 act.

16 (3) Each local unit of government that provides bus or rail
17 transportation services to the public shall post a human
18 trafficking notice on the premises of any facility that provides
19 those services in the manner described in this act and as required
20 by the department under this act.

21 (4) Each of the following shall post a human trafficking
22 notice on its premises in the manner described in this act and as
23 required by the department under this act:

24 (a) Any entity that owns property that has been found by a
25 court to constitute a public nuisance due to acts of prostitution
26 or human trafficking being conducted on the property or arising out
27 of the ownership or use of the property.

1 (b) An adult entertainment establishment.

2 (c) Any entity that sells gasoline or diesel fuel at retail.

3 (d) Any entity that provides bus or rail transportation
4 services to the public.

5 Sec. 4. The human trafficking notice required under this act
6 shall be posted prominently within each facility operated by an
7 entity described in section 3 that is open to use by the public and
8 at each public entrance to that facility.

9 Sec. 5. A human trafficking notice must meet the following
10 requirements:

11 (a) Be of a design and style to provide proper notice under
12 this act.

13 (b) Be no smaller than 8-1/2 inches by 11 inches and contain
14 the following notice in boldfaced type of not less than a 14-point
15 font determined appropriate by the department:

16 "If you or someone you know is being forced to engage in any
17 activity and cannot leave, whether it is commercial sex, housework,
18 farm work, or any other activity, please contact the National Human
19 Trafficking Resource Center hotline at 1-888-373-7888 or text
20 233733 to access help and services. The victims of human
21 trafficking are protected under U.S. laws and the laws of this
22 state.".

23 (c) Be of durable construction.

24 (d) Be posted in the English and Spanish languages and in any
25 other language determined appropriate by the department. The
26 department may require the posting of other languages under this
27 subdivision in specified areas of this state due to the languages

1 used within those specified areas.

2 Sec. 6. The department shall post on its departmental website
3 a sample of the notice described in section 5, which shall be
4 available for downloading for purposes of this act.

5 Sec. 7. The department shall provide each entity described in
6 section 3 with written notice of the requirements of this act.

7 Sec. 8. This act does not apply unless sufficient funds are
8 appropriated to the department to allow it to carry out the duties
9 required under this act.

10 Sec. 9. If the department determines that an entity described
11 in section 3 has failed to comply with the notice requirements of
12 this act, the department shall notify the entity that it is in
13 violation of this act and provide the entity with 24 hours to come
14 into compliance with this act. If the entity fails to properly post
15 the human trafficking notice required under this act within the 24-
16 hour period described in this section, the entity is responsible
17 for a state civil violation and may be fined not more than
18 \$1,000.00.

19 Sec. 10. The department may promulgate rules to implement this
20 act.