

# HOUSE BILL No. 5107

December 2, 2015, Introduced by Rep. Heise and referred to the Committee on Criminal Justice.

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 adult entertainment establishment that holds a topless

1 activity permit under section 916(3) of the Michigan liquor control  
2 code of 1998, 1998 PA 58, MCL 436.1916.

3 (ii) Any other retail establishment that provides adult-  
4 oriented entertainment in which performers disrobe or perform in an  
5 unclothed state for entertainment.

6 (b) "Department" means the department of licensing and  
7 regulatory affairs.

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

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

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

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

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

27 (a) Any entity that owns property that has been found by a

1 court to constitute a public nuisance due to acts of prostitution  
2 or human trafficking being conducted on the property or arising out  
3 of the ownership or use of the property.

4 (b) An adult entertainment establishment.

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

9 Sec. 5. A human trafficking notice required to be posted under  
10 this act shall meet the following 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 the activity is commercial sex,  
18 housework, farm work, or any other activity, please contact the  
19 National Human Trafficking Resource Center hotline at 1-888-373-  
20 7888 or text 233733 to access help and services. The victims of  
21 human trafficking are protected under U.S. laws and the laws of  
22 this 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. (1) If the department determines that an entity  
11 described in section 3 has failed to comply with the notice  
12 requirements of this act, the department shall notify the entity  
13 that it is in violation of this act and provide the entity with 48  
14 hours to come into compliance with this act.

15 (2) If the entity under subsection (1) is subsequently  
16 notified a second time of a failure to comply with the requirements  
17 of this act within 1 year of the previous notification, the entity  
18 may be fined not more than \$250.00. If the same entity is notified  
19 a third time of a failure to comply with the requirements of this  
20 act within 1 year of the previous 2 notifications, the entity may  
21 be fined not more than \$500.00.

22 Sec. 10. The department may promulgate rules to implement this  
23 act.

24 Enacting section 1. This act takes effect 90 days after the  
25 date it is enacted into law.