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HOUSE BILL NO. 2061

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend and reenact § 40.1-11.3 of the Code of Virginia, relating to human trafficking; notices by employers; truck stops.

Patrons—Bulova, Minchew, Brink, Carr, LeMunyon, McClellan and McQuinn; Senator: Obenshain

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That § 40.1-11.3 of the Code of Virginia is amended and reenacted as follows:

§ 40.1-11.3. Human trafficking hotline; posted notice required; civil penalty.

A. Any employer who (i) operates (a) a business that provides entertainment commonly called stripteasing or topless entertaining or entertainment that has employees who are not clad above or below the waist or (b) a truck stop and (ii) fails to post notice of the existence of a human trafficking hotline to alert potential human trafficking victims of the availability of assistance, is subject to a civil penalty of \$500 payable. *Civil penalties under this section shall be assessed by the Department and paid to the Literary Fund.* The notice required by this section shall be posted in the same location where other employee notices required by state or federal law are posted.

The provisions of this subsection shall not apply to businesses described in clause (a) providing entertainment in theaters, concert halls, art centers, museums, or similar establishments that are devoted primarily to the arts or theatrical performances, when the performances that are presented are expressing matters of serious literary, artistic, scientific, or political value.

B. The Department shall (i) determine the content of the notice which shall include the National Human Trafficking Resource Center Hotline, (ii) the size of the notice, (iii) determine the languages in which the notice is to be posted, and (iv) publish the notice size and notice languages, and make the notice available in each of those languages, on the website of the Department and by any other means of publication the Department deems appropriate. The Department is not otherwise required to produce or distribute the notice.

C. As used in this section:

"Truck stop" has the same meaning as that term is defined in 21 U.S.C. § 849(a).

INTRODUCED

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