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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 338 Session of  
2011

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INTRODUCED BY LEACH, FONTANA, STACK, TARTAGLIONE, WILLIAMS,  
WASHINGTON AND VANCE, JANUARY 28, 2011

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REFERRED TO LABOR AND INDUSTRY, JANUARY 28, 2011

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AN ACT

1 Providing for the National Human Trafficking Resource Center  
2 Hotline Act; and imposing duties on prothonotaries.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the National  
7 Human Trafficking Resource Center Hotline Act.

8 Section 2. Required posting.

9 (a) Sign.--An establishment shall post a sign indicating  
10 certain information regarding the National Human Trafficking  
11 Resource Center Hotline. The sign shall be no smaller than 8 1/2  
12 inches by 11 inches. Unless stated otherwise in this section, it  
13 shall be posted near the entrance of the establishment or  
14 prominently where notices are usually posted. The sign shall  
15 state the following:

16 National Human Trafficking Resource Center Hotline at  
17 1-888-373-7888

18 If you or someone you know is being forced to engage in

1 any activity and cannot leave - whether it is commercial  
2 sex, housework, farm work or any other activity - call  
3 the National Human Trafficking Hotline at 1-888-373-7888  
4 to access help and services.

5 Victims of human trafficking are protected under United  
6 States and Pennsylvania law.

7 The hotline is:

8 Anonymous and confidential

9 Available 24/7

10 Toll free

11 Operated by a nongovernmental, nonprofit organization

12 Accessible in 170 languages

13 Able to provide help, referral to services, training  
14 and general information.

15 (b) Posting.--

16 (1) Establishments shall post the sign on the inside  
17 face of the main door leading directly into each unit.

18 (2) Establishments shall post the sign required in  
19 subsection (a) inside all restrooms either:

20 (i) on the inside of each stall door; or

21 (ii) on the back of the restroom door.

22 (c) Language.--The sign shall be posted in English, Spanish  
23 and any other language mandated by the Voting Rights Act of 1965  
24 (Public Law 89-110, 42 U.S.C. § 1973 et seq.) in the county  
25 where the sign will be posted.

26 (d) Font.--The title of the sign, the National Human  
27 Trafficking Resource Center Hotline at 1-888-373-7888, shall be  
28 boldfaced, underlined and no smaller than 28-point font size.

29 (e) Notice.--

30 (1) The authority responsible for licensing the type of

1 establishment shall provide notice of this section and the  
2 sign required by subsection (a) on its Internet website for  
3 establishments to print as needed.

4 (2) The Department of Labor and Industry shall provide  
5 the sign required by subsection (a) on its Internet website  
6 for establishments to print as needed.

7 (f) Civil penalty.--In addition to any other remedy  
8 available at law or in equity for a violation of this section,  
9 the licensing authority for the establishment may assess a civil  
10 penalty upon a person for a violation of this section. In  
11 assessing a civil penalty, the licensing authority shall give  
12 notice to the person and shall provide an opportunity for a  
13 hearing. The civil penalty assessed shall not exceed \$500. The  
14 civil penalty shall be payable to the Department of Labor and  
15 Industry and shall be collectible in a manner provided by law  
16 for the collection of debt.

17 (g) Hearing.--A hearing regarding a civil penalty imposed  
18 under subsection (f) shall be conducted under 2 Pa.C.S.  
19 (relating to administrative law and procedure).

20 (h) Lien.--If a person liable to pay a civil penalty imposed  
21 under subsection (f) neglects or refuses to pay it after demand,  
22 the amount of the civil penalty, together with interest and  
23 other costs that may accrue, shall be a lien in favor of the  
24 Commonwealth upon the real and personal property of the person  
25 after the lien has been entered and docketed of record by the  
26 prothonotary of the county where the property is situated.

27 (i) Duties of prothonotary.--Upon receipt of the certified  
28 copy of the lien, it is the duty of the prothonotary to:

29 (1) Enter and docket the lien in the records of his  
30 office.

1           (2) Index the lien as judgments are indexed without  
2 requiring the payment of costs as a condition precedent to  
3 entry.

4           (j) Definition.--As used in this section, the term  
5 "establishment" means the following places:

6           (1) A massage parlor, spa or a similar enterprise,  
7 regardless of whether it is required to obtain a license or  
8 permit from the Commonwealth for its operation.

9           (2) A restaurant, bar, tavern, hotel or club that has a  
10 valid liquor or malt or brewed beverage license under Article  
11 IV of the act of April 12, 1951 (P.L.90, No.21), known as the  
12 Liquor Code.

13           (3) An adult entertainment enterprise featuring nude or  
14 partially nude dancing or providing live adult entertainment.

15           (4) A hotel or motel found to be a drug-related nuisance  
16 under 42 Pa.C.S. Ch. 83 Subch. H (relating to drug nuisances)  
17 or declared a common nuisance under section 1 of the act of  
18 June 23, 1931 (P.L.1178, No.319), entitled "An act declaring  
19 buildings and parts of buildings used for purposes of  
20 fornication, lewdness, assignation, and prostitution to be  
21 nuisances; providing a method of abating same; establishing a  
22 method of procedure against those who use said buildings, or  
23 parts thereof, for such purposes; and providing penalties for  
24 violations of this act."

25           (5) An airport, train station or bus station.

26           (6) A welcome center or rest area operated by the  
27 Department of Transportation.

28 Section 3. Effective date.

29 This act shall take effect in 60 days.