

SUBSTITUTE FOR
HOUSE BILL NO. 5107

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

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

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

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

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

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

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

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

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

1 of the ownership or use of the property.

2 (b) An adult entertainment establishment.

3 (c) Public airports.

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

8 Sec. 5. A human trafficking notice required to be posted under
9 this act shall meet the following requirements:

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

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

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

22 (c) Be of durable construction.

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

1 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.