

ORDINANCE NO. _____

An ordinance adding Article 9 to Chapter V of the Los Angeles Municipal Code to require posting of information related to slavery and human trafficking at certain businesses.

WHEREAS, human trafficking is a significant problem across the state of California, with victims often in plain sight;

WHEREAS, to address this problem, California added Section 52.6 to the California Civil Code to require specified businesses and other establishments, including, among others, airports, intercity passenger rail or light rail stations, bus stations, and truck stops, to post a notice that contains information relating to slavery and human trafficking, including information regarding specified nonprofit organizations that a person can call for services or support;

WHEREAS, Section 52.6 of the California Civil Code specifies that its provisions do not prevent local governments from enacting their own ordinance regarding the posting of human trafficking information and providing for various administrative fines, criminal penalties, and civil penalties to obtain compliance; and

WHEREAS, the City finds that providing additional enforcement tools to law enforcement will increase compliance with the provisions of Section 52.6 of the California Civil Code.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 9 is added to Chapter V of the Los Angeles Municipal Code to read as follows:

ARTICLE 9

NOTICES RELATED TO SLAVERY AND HUMAN TRAFFICKING

**SEC. 59.00. SPECIFIED BUSINESSES TO POST NOTICE RELATED TO SLAVERY
AND HUMAN TRAFFICKING.**

(a) Definitions.

(1) “**ADULT or SEXUALLY ORIENTED BUSINESSES**” is defined to have the same meaning as how that term is defined in Subdivision (a) of Section 318.5 of the California Penal Code.

(2) **"PRIMARY AIRPORTS"** is defined to have the same meaning as how that term is defined in Section 47102(16) of Title 49 of the United States Code.

(3) **"TRUCK STOPS"** means a privately owned and operated facility that provides food, fuel, shower or other sanitary facilities, and lawful overnight truck parking.

(4) **"FARM LABOR CONTRACTORS"** is defined to have the same meaning as how that term is defined in Subdivision (b) of Section 1682 of the California Labor Code.

(5) **"HOTELS, MOTELS, and BED AND BREAKFAST INNS"** is defined to have the same meaning as how that term is defined in Subdivision (b) of Section 24045.12 of the California Business and Professions Code, not including personal residences.

(b) Businesses Subject to Posting Requirement.

Each of the following businesses and other establishments shall post a notice that complies with the requirements of this section in a conspicuous place near the public entrance of the establishment or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted:

(1) On-sale general public premises licensees under the Alcoholic Beverage Control Act (Division 9 (commencing with Section 23000) of the California Business and Professions Code).

(2) Adult or sexually oriented businesses.

(3) Primary airports.

(4) Intercity passenger rail or light rail stations.

(5) Bus stations.

(6) Truck stops.

(7) Emergency rooms within general acute care hospitals.

(8) Urgent care centers.

(9) Farm labor contractors.

(10) Privately operated job recruitment centers.

(11) Roadside rest areas.

(12) Businesses or establishments that offer massage or bodywork services for compensation and are not described in Paragraph (1) of Subdivision (b) of Section 4612 of the California Business and Professions Code.

(13) Hotels, motels, and bed and breakfast inns.

(c) Content of Notice.

The notice to be posted pursuant to Subsection (b) of this section shall be at least 8½ inches by 11 inches in size, written in a 16-point font, and shall state the following:

IF YOU OR SOMEONE YOU KNOW IS BEING FORCED TO ENGAGE IN ANY ACTIVITY AND CANNOT LEAVE—WHETHER IT IS COMMERCIAL SEX, HOUSEWORK, FARM WORK, CONSTRUCTION, FACTORY, RETAIL, OR RESTAURANT WORK, OR ANY OTHER ACTIVITY—TEXT 233-733 (BE FREE) OR CALL NATIONAL SLAVERY AND TRAFFICKING (CAST) AT 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 TO ACCESS HELP AND SERVICES

VICTIMS OF SLAVERY AND HUMAN TRAFFICKING ARE PROTECTED UNDER UNITED STATES AND CALIFORNIA LAW.

THE HOTLINES ARE:

- AVAILABLE 24 HOURS A DAY, 7 DAYS A WEEK
- TOLL-FREE
- OPERATED BY NON-PROFIT, NON-GOVERNMENTAL ORGANIZATIONS
- ANONYMOUS AND CONFIDENTIAL
- ACCESSIBLE IN MORE THAN 160 LANGUAGES
- ABLE TO PROVIDE HELP, REFERRAL TO SERVICES, TRAINING, AND GENERAL INFORMATION

(d) Language of Notices.

The notice to be posted pursuant to Subsection (b) of this section shall be printed in English, Spanish, Chinese, and the languages that are spoken by at least 20 percent of the employees and/or 20 percent of the patrons of the business or establishment subject to the posting requirement of this section.

(e) Administrative Process Applicable to Citations.

Unless otherwise specified herein, all citations issued for violations of this section shall be subject to the provisions set forth in Article 1.2 of Chapter 1 of this Code, including, but not limited to, the administrative hearing and appeal process and the

City's authority to use any civil remedy available to collect any unpaid administrative fine.

(f) Criminal and Other Remedies Available.

Any violation of this section may be prosecuted as a misdemeanor. In cases where the City Attorney elects to criminally prosecute a violation, the defendant shall be subject to all applicable penalties authorized by Section 11.00(m) of this Code.


(g) Severability.

If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions that can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
LINDA N. NGUYEN
Deputy City Attorney

Date 1-3-20

File No. 17-0 116-53

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles..

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____