

## HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

<b>BILL #:</b>	CS/CS/HB 369	<b>FINAL HOUSE FLOOR ACTION:</b>	
<b>SPONSOR(S):</b>	Economic Affairs Committee; Transportation & Ports Subcommittee; Kerner; Spano and others.	113 Y's	0 N's
<b>COMPANION BILLS:</b>	CS/SB 534	<b>GOVERNOR'S ACTION:</b>	Pending

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### SUMMARY ANALYSIS

CS/CS/HB 369 passed the House on April 9, 2015. The bill was amended by the Senate on April 22, 2015. The bill was returned to the House as amended, was amended and passed on April 24, 2015. The Senate concurred in the House amendment and subsequently passed the bill as amended on April 29, 2015. The bill provides that human trafficking public awareness signs are to be displayed by the Department of Transportation in every rest area, turnpike service plaza, weigh station, primary airport passenger rail station and welcome center open to the public. The bill also requires human trafficking awareness signs in emergency rooms at general acute care hospitals, strip clubs or other adult entertainment establishments, and businesses or establishments offering massage or bodyworks services not owned by a health care profession.

The public awareness sign instructs anyone who is being forced to engage in an activity and is being held against their will to call or text the National Human Trafficking Awareness Center.

The bill authorizes the county commission to adopt an ordinance to enforce provisions related to this bill, with a violation being a noncriminal violation and punishable by a fine not to exceed \$500.

The bill has a minimal negative, but indeterminate, fiscal impact on state and local governments, and businesses required to display human trafficking awareness signs.

Subject to the Governor's veto powers, the effective date of this bill is January 1, 2016.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Current Situation**

Florida law defines human trafficking as “soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person.”<sup>1</sup> Human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor.<sup>2</sup> Trafficking often subjects victims to force, fraud, and coercion.<sup>3</sup>

There are no definitive statistics on the extent of human trafficking. The U.S. Department of State estimates that as many as 27 million victims are being trafficked worldwide at any given time. They also estimate that there were approximately 40,000 victims being trafficked in the United States in 2012.<sup>4</sup> Florida is estimated to have the third highest rate of human trafficking in the United States, following New York and California.<sup>5</sup> Victims of human trafficking are transported around the United States by a variety of means-cars, buses, vans, trucks, or planes-and are often provided counterfeit identification to use in the event of arrest.

The National Human Trafficking Resource Center (NHTRC) is a national hotline number funded by the United States Department of Health and Human Services.<sup>6</sup> It has been operated by Polaris since 2007. Polaris is a non-profit, non-governmental organization, which works exclusively on the issue of human trafficking. It is not a government entity, law enforcement agency, or an immigration authority.<sup>7</sup>

The NHTRC provides service referrals to victims of human trafficking, tips to law enforcement, information to the public, training, and technical assistance. The NHTRC’s “mission is to provide human trafficking victims and survivors with access to critical support and services to get help and stay safe, and to equip the anti-trafficking community with the tools to effectively combat all forms of human trafficking.”<sup>8</sup>

The toll-free hotline is available to answer calls from anywhere in the United States, 24 hours a day, seven days a week, every day of the year. It has the capabilities to answer calls in more than 200 languages. In 2014, the hotline received 1,428 phone calls and reported 364 human trafficking cases in Florida.<sup>9</sup>

Currently, 25 states require or encourage the NHTRC hotline number to be posted or promoted within the state.<sup>10</sup>

Florida law currently does not require or encourage the posting of the hotline number.

#### **Proposed Changes**

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<sup>1</sup> s. 787.06(2)(d), F.S.

<sup>2</sup> s. 787.06(1)(a), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of State, *Trafficking in Persons Report 2013*, <http://www.state.gov/j/tip/rls/tiprpt/2013/> (last visited March 10, 2015).

<sup>5</sup> Healthy Families Subcommittee Presentation by Professor Terry Coonan, FSU Human Rights Center, January 14, 2014.

<sup>6</sup> Information on the National Human Trafficking Resource Center is available at <http://traffickingresourcecenter.org/> (last visited March 10, 2015).

<sup>7</sup> Polaris, *NHTRC and BeFree Hotlines*, <http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/the-nhtc/overview> (last visited March 10, 2015).

<sup>8</sup> National Human Trafficking Resource Center, *Mission*, <http://traffickingresourcecenter.org/mission> (last visited March 10, 2015).

<sup>9</sup> National Human trafficking Resource Center, *Florida*, <http://traffickingresourcecenter.org/state/florida> (last visited March 10, 2015).

<sup>10</sup> Polaris, *Posting the National Human Trafficking Resource Center Hotline*, <http://www.polarisproject.org/what-we-do/policy-advocacy/assisting-victims/posting-the-national-human-trafficking-resource-center-hotline> (last visited March 10, 2015).

The bill creates s. 787.29, F.S. relating to human trafficking public awareness signs. The bill requires the Department of Transportation to display human trafficking public awareness signs in every rest area, turnpike service plaza, weigh station, primary airport, passenger rail station, and welcome center open to the public.

The bill requires emergency rooms at general acute care hospitals to display human trafficking public awareness signs.

The bill requires the employer at each of the following establishments to display human trafficking public awareness signs in a conspicuous location that is clearly visible to the public and employees of the establishment:

- A strip club or other adult entertainment establishment.
- A business or establishment that offers massage or bodyworks services for compensation that is not owned by a health care profession.<sup>11</sup>

The bill requires public awareness signs to be at least 8.5 inches by 11 inches in size, must be printed in at least 16-point type, and must state substantially the following in English and Spanish:

If you or someone you know is being forced to engage in an activity and cannot leave-whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity-call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of human trafficking are protected under United States and Florida law.

The county commission may adopt an ordinance to enforce the posting of signs by strip clubs, adult entertainment establishments, and businesses or establishments offering massage or bodyworks services. A violation is a noncriminal violation punishable by a fine not to exceed \$500.<sup>12</sup>

The bill has an effective date of January 1, 2016.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

The Department of Transportation will incur expenses associated with displaying human trafficking awareness signs. However, the total expense is indeterminate, but expected to be insignificant.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

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<sup>11</sup> The bill provides that it must be a health care profession regulated pursuant to Ch. 456, F.S., and defined in s. 456.001.

<sup>12</sup> S. 775.083, F.S.

Counties may see an increase in revenues due to noncriminal violations due to certain establishments not displaying human trafficking awareness signs. The total revenue is indeterminate, but expected to be insignificant.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Certain businesses will be required to incur expenses to display human trafficking awareness signs. While indeterminate, the cost is expected to be minimal.

D. FISCAL COMMENTS:

None.