



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 18-0296, **Version:** 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Burnett

A Bill Entitled

An Ordinance concerning

Licensing and Regulation - National Human Trafficking Resource Center Hotline Information Sign Posting

For the purpose of requiring certain businesses to post a National Human Trafficking Resource Center hotline information sign in designated areas; requiring certain reports; defining certain terms; and establishing certain penalties.

By repealing

Article 15 - Licensing and Regulation
Section(s) 1-26
Baltimore City Code
(Edition 2000)

By adding

Article 15 - Licensing and Regulation
Section(s) 42-1 to 42-5, to be under the new subtitle,
“Subtitle 42. Human Trafficking Notice Requirements”
Baltimore City Code
(Edition 2000)

By repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(2) and 41-14(1)
Baltimore City Code
(Edition 2000)

Recitals

Whereas, human trafficking is a form of modern slavery that occurs in every state, including Maryland. The Maryland Human Trafficking Task Force is the State's primary organization that works to prevent trafficking, protect victims by providing them with the services they need, prosecute traffickers, and partner

with a variety of organizations to eradicate the scourge of human trafficking from our communities.

Whereas, human trafficking is the exploitation of an individual for financial gain through forced labor or commercial sex. Between 14,500 and 17,500 individuals are trafficked into the United States each year. Nationally, an estimated 4,457 to 20,995 youth ages 13-17 are involved in the U.S. sex industry. In Maryland, there were over 440 cases of child sex trafficking reported to local Departments of Social Services between July 2013 and July 2018. These reports involved over 375 alleged minor victims, the majority of whom were Maryland residents between the ages of 14-17 years old.

Whereas, youth who identify as LGBTQ may be additionally vulnerable to trafficking due to lack of social supports, familial rejection, or both. According to the National Center for Missing and Exploited Children, 74% of the children trafficked came from the foster care or social services system when they ran away and were lured into sex trafficking.

Whereas, in Maryland, of the cases reported to the National Human Trafficking Hotline in 2017, the top two venues for sex trafficking were hotels and motels as well as illicit massage and spa businesses. Trafficked individuals have very few opportunities to be alone and away from their traffickers. Those locations are generally, hotel bathrooms, corner stores and groceries, lunch breaks from construction sites. Strategically locating trafficking hotlines in locations that are accessible for the trafficked individual and away from their trafficker means that these individuals have access to the national hotline and can make a call for help. This legislation seeks to address this issue.

Now, Therefore,

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 15. Licencing and Regulation

Subtitle 1. Adult Entertainment Businesses

Part 3. Standards of Operation

[§ 1-26. Human trafficking prevention signs to be posted.]

[(a) In General.]

[(1) The owner of an adult-entertainment business must post, in each restroom on the premises of the adult-entertainment business, a sign that states the following:

“Report Human Trafficking:

National Human Trafficking Resource Center

1-888-373-7888

Call for help if you or someone you know:

- is being forced to have sex without consent
- has had an ID or documents taken away
- is being threatened by or is in debt to an employer
- wants to leave a job but cannot freely do so

Toll-Free ☎ 24/7 ☎ Confidential ☎ Interpreters Available

This sign is required by Baltimore City law.”

(2) The sign must:

- (i) be at least 3 by 5 inches in size;
 - (ii) contain the text required under paragraph (1) of this subsection in English, Spanish, and any other languages required by the federal Voting Rights Act for voting materials in Baltimore City; and
 - (iii) draw attention to the phone number of the National Human Trafficking Resource Center Hotline by showing the phone number in bold type.
- (3) The owner of an adult-entertainment business may meet the requirements of this subsection by using copies of the signs created and made available online by the Maryland Department of Labor, Licensing, and Regulation under Maryland Business Regulation Article § 15-207 if the signs are altered to indicate that they are required by Baltimore City law rather than State law.]

[(b) *Sign location.*]

[A sign required under this section must be posted:

- (1) on the inside of each stall door in the restroom; or
- (2) on the back of the door at the entrance to the restroom.]

Subtitle 42. Human Trafficking Notice Requirements

§ 42-1. Definitions.

(a) *In General.*

In this subtitle, the following terms have the meanings indicated.

(b) *Adult -entertainment business.*

“Adult-entertainment business” has the meaning stated in § 1-1(c) {“Adult-entertainment business”} of this article.

(c) *Food Service facility.*

“Food service facility” has the meaning stated in the health article § 6-101(d) {“Food service facility”} of the City Code.

(d) *Hotel.*

“Hotel” has the meaning stated in § 10-1(b) {“Hotel”} of this article.

(e) *Licensed construction contracting service.*

(1) “Licensed construction contracting service” means any licensed business or individual who recruits, solicits, supervises, and otherwise employs others for compensation for the purpose of residential or commercial construction.

(2) “Licensed construction contracting service” does not include any business or individual engaged in the business of agricultural production.

(f) *Massage establishment.*

“Massage establishment” has the meaning stated in § 11-1(c) {“Massage establishment”} of this article.

§ 42-2. Human trafficking prevention signs to be posted.

(a) *Applicability*

The requirements set forth in this section are only applicable to:

- (1) adult-entertainment businesses;
- (2) food service facilities;
- (3) hotels;
- (4) licensed construction contracting services providing services pursuant to a permit issued by the Baltimore City Department of Housing and Community Development; and
- (5) massage establishments.

(b) *In General.*

(1) The owner of a business as provided in subsection (a) of this section must post, in each restroom on the premises business, a sign that states the following:

“REPORT HUMAN TRAFFICKING:

National Human Trafficking Resource Center

1-888-373-7888

CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

- is being forced to have sex without consent
- has had an ID or documents taken away
- is being threatened by or is in debt to an employer
- wants to leave a job but cannot freely do so

TOLL-FREE ‡ 24/7 ‡ CONFIDENTIAL ‡ INTERPRETERS AVAILABLE

This sign is required by Baltimore City law”

(2) The sign must:

- (i) be at least 8.5 by 11 inches in size;
 - (ii) contain the text required under paragraph (1) of this subsection in English, Spanish, and any other languages required by the federal Voting Rights Act for voting materials in Baltimore City; and
 - (iii) draw attention to the phone number of the National Human Trafficking Resource Center Hotline by showing the phone number in bold type.
- (3) The owner of a business as provided in subsection (a) of this section may meet the requirements of this subsection by using copies of the signs created and made available online by the Maryland Department of Labor, Licensing, and Regulation under Maryland Business Regulation Article § 15-207 if the signs are altered to indicate that they are required by Baltimore City law rather than State law.

(c) *Sign location.*

(1) Excepted as provided in paragraph (2), a sign required under this section must be posted:

- (1) conspicuous place in clear view of the public and employees where similar notices are customarily posted; and
- (2) on the back of the door at the entrance to each restroom.

(2) Licensed construction contracting services shall post the sign required under this section where any required permits are posted.

§ 42-3. Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

- (1) an environmental citation under City Code Article 1, Subtitle 40 {“Environmental Control Board”}; or

(2) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *Duty to enforce.*

Enforcement of this subtitle shall be conducted by:

- (1) the Baltimore City Board of Liquor License Commissioners, with regard to adult-entertainment businesses;
- (2) the Baltimore City Department of Health, with regard to food service facilities and massage establishments; and
- (3) the Baltimore City Department of Housing and Community Development, with regard to licensed construction contracting services and hotels.

§ 42-4. PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISIONS OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE.

§ 42-5. Annual Report .

(a) *In General.*

On or before June 30 of each year, the Commissioner of the Baltimore City Health Department and the Commissioner of the Baltimore City Department of Housing and Community Development shall each prepare and submit to the Mayor and the City Council an annual report detailing compliance with this subtitle.

(b) *contents*

The report shall include the following information for the previous calendar year:

- (1) the number of inspections conducted of businesses regulated under this subtitle; and
- (2) the number of citations issued pursuant to this subtitle.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(2) Article 15. Licensing and Regulation

....

Subtitle 42.

Human Trafficking Notice
Requirements

1st offense

\$ 500

Subsequent offense

\$1000

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies - Listing.

(1) Article 15. Licensing and Regulation

....

Subtitle 42.

Human Trafficking Notice
Requirements

1st offense

\$
500

Subsequent offense

\$1000

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.