



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4340

by Rep. Barbara Wheeler

SYNOPSIS AS INTRODUCED:

775 ILCS 50/5
775 ILCS 50/20

Amends the Human Trafficking Resource Center Notice Act. To the list of entities required to post the notice under the Act, adds: massage parlors and bath houses; public gatherings and special events conducted on property open to the public that require the issuance of a permit from the unit of local government; establishments used primarily for gaming and where gaming equipment or supplies are used or offered for use for the purpose of accruing business revenue; and public and private elementary and secondary schools. Provides that the Department of Revenue or the governmental entity regulating a business or establishment (instead of the Department of Labor) shall monitor and enforce compliance with the Act.

LRB100 17799 HEP 32978 b

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Human Trafficking Resource Center Notice Act
5 is amended by changing Sections 5 and 20 as follows:

6 (775 ILCS 50/5)

7 Sec. 5. Posted notice required.

8 (a) Each of the following businesses and other
9 establishments shall, upon the availability of the model notice
10 described in Section 15 of this Act, post a notice that
11 complies with the requirements of this Act in a conspicuous
12 place near the public entrance of the establishment or in
13 another conspicuous location in clear view of the public and
14 employees where similar notices are customarily posted:

15 (1) On premise consumption retailer licensees under
16 the Liquor Control Act of 1934 where the sale of alcoholic
17 liquor is the principal business carried on by the licensee
18 at the premises and primary to the sale of food.

19 (2) Adult entertainment facilities, as defined in
20 Section 5-1097.5 of the Counties Code.

21 (3) Primary airports, as defined in Section 47102(16)
22 of Title 49 of the United States Code.

23 (4) Intercity passenger rail or light rail stations.

1 (5) Bus stations.

2 (6) Truck stops. For purposes of this Act, "truck stop"
3 means a privately-owned and operated facility that
4 provides food, fuel, shower or other sanitary facilities,
5 and lawful overnight truck parking.

6 (7) Emergency rooms within general acute care
7 hospitals.

8 (8) Urgent care centers.

9 (9) Farm labor contractors. For purposes of this Act,
10 "farm labor contractor" means: (i) any person who for a fee
11 or other valuable consideration recruits, supplies, or
12 hires, or transports in connection therewith, into or
13 within the State, any farmworker not of the contractor's
14 immediate family to work for, or under the direction,
15 supervision, or control of, a third person; or (ii) any
16 person who for a fee or other valuable consideration
17 recruits, supplies, or hires, or transports in connection
18 therewith, into or within the State, any farmworker not of
19 the contractor's immediate family, and who for a fee or
20 other valuable consideration directs, supervises, or
21 controls all or any part of the work of the farmworker or
22 who disburses wages to the farmworker. However, "farm labor
23 contractor" does not include full-time regular employees
24 of food processing companies when the employees are engaged
25 in recruiting for the companies if those employees are not
26 compensated according to the number of farmworkers they

1 recruit.

2 (10) Privately-operated job recruitment centers.

3 (11) Massage parlors and bath houses.

4 (12) Establishments used primarily for gaming and
5 where gaming equipment or supplies are used or offered for
6 use for the purpose of accruing business revenue.

7 (b) The Department of Transportation shall, upon the
8 availability of the model notice described in Section 15 of
9 this Act, post a notice that complies with the requirements of
10 this Act in a conspicuous place near the public entrance of
11 each roadside rest area or in another conspicuous location in
12 clear view of the public and employees where similar notices
13 are customarily posted.

14 (c) The owner of a hotel or motel shall, upon the
15 availability of the model notice described in Section 15 of
16 this Act, post a notice that complies with the requirements of
17 this Act in a conspicuous and accessible place in or about the
18 premises in clear view of the employees where similar notices
19 are customarily posted.

20 (d) The organizer of a public gathering or special event
21 that is conducted on property open to the public and requires
22 the issuance of a permit from the unit of local government
23 shall post a notice that complies with the requirements of this
24 Act in a conspicuous and accessible place in or about the
25 premises in clear view of the public and employees where
26 similar notices are customarily posted.

1 (e) The administrator of a public or private elementary
2 school or public or private secondary school shall post a
3 notice that complies with the requirements of this Act in a
4 conspicuous and accessible place in the administrative office
5 or another location in view of school employees.

6 (Source: P.A. 99-99, eff. 1-1-16; 99-565, eff. 7-1-17.)

7 (775 ILCS 50/20)

8 Sec. 20. Penalties.

9 (a) A business or establishment identified in subsection
10 (a) of Section 5 that fails to comply with the requirements of
11 this Act is liable for a civil penalty of \$500 for a first
12 offense and \$1,000 for each subsequent offense.

13 (b) The Department of Revenue or the governmental entity
14 regulating a business or establishment ~~Labor~~ shall, in the
15 course of regulating a business or establishment, monitor and
16 enforce compliance with this Act. Upon discovering a violation,
17 the Department of Revenue or the governmental entity regulating
18 a business or establishment ~~Labor~~ shall provide the business or
19 establishment with reasonable notice of noncompliance that
20 informs the business or establishment that it is subject to a
21 civil penalty if it does not correct the violation within 30
22 days from the date the notice is sent to the business or
23 establishment.

24 (c) If the Department of Revenue or the governmental entity
25 regulating a business or establishment ~~Labor~~ verifies that the

1 violation was not corrected within the 30-day period described
2 in subsection (b), the Attorney General may bring an action to
3 impose a civil penalty pursuant to this Section.

4 (Source: P.A. 99-99, eff. 1-1-16.)