



Rep. Barbara Wheeler

Filed: 3/6/2018

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LRB100 17799 HEP 36754 a

1 AMENDMENT TO HOUSE BILL 4340

2 AMENDMENT NO. _____. Amend House Bill 4340 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Human Trafficking Resource Center Notice
5 Act is amended by changing Sections 5, 15, 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

1 liquor is the principal business carried on by the licensee
2 at the premises and primary to the sale of food.

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

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

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

8 (5) Bus stations.

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

13 (7) Emergency rooms within general acute care
14 hospitals.

15 (8) Urgent care centers.

16 (9) Farm labor contractors. For purposes of this Act,
17 "farm labor contractor" means: (i) any person who for a fee
18 or other valuable consideration recruits, supplies, or
19 hires, or transports in connection therewith, into or
20 within the State, any farmworker not of the contractor's
21 immediate family to work for, or under the direction,
22 supervision, or control of, a third person; or (ii) any
23 person who for a fee or other valuable consideration
24 recruits, supplies, or hires, or transports in connection
25 therewith, into or within the State, any farmworker not of
26 the contractor's immediate family, and who for a fee or

1 other valuable consideration directs, supervises, or
2 controls all or any part of the work of the farmworker or
3 who disburses wages to the farmworker. However, "farm labor
4 contractor" does not include full-time regular employees
5 of food processing companies when the employees are engaged
6 in recruiting for the companies if those employees are not
7 compensated according to the number of farmworkers they
8 recruit.

9 (10) Privately-operated job recruitment centers.

10 (11) Massage establishments. As used in this Act,
11 "massage establishment" means a place of business in which
12 any method of massage therapy is administered or practiced
13 for compensation.

14 (b) The Department of Transportation 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 place near the public entrance of
18 each roadside rest area or in another conspicuous location in
19 clear view of the public and employees where similar notices
20 are customarily posted.

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

1 (d) The organizer of a public gathering or special event
2 that is conducted on property open to the public and requires
3 the issuance of a permit from the unit of local government
4 shall post a notice that complies with the requirements of this
5 Act in a conspicuous and accessible place in or about the
6 premises in clear view of the public and employees where
7 similar notices are customarily posted.

8 (e) The administrator of a public or private elementary
9 school or public or private secondary school shall post a
10 printout of the downloadable notice provided by the Department
11 of Human Services under Section 15 that complies with the
12 requirements of this Act in a conspicuous and accessible place
13 chosen by the administrator in the administrative office or
14 another location in view of school employees. School districts
15 and personnel are not subject to the penalties provided under
16 subsection (a) of Section 20.

17 (f) The owner of an establishment registered under the
18 Tattoo and Body Piercing Establishment Registration Act shall
19 post a notice that complies with the requirements of this Act
20 in a conspicuous and accessible place in clear view of
21 establishment employees.

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

23 (775 ILCS 50/15)

24 Sec. 15. Model notice. No later than 6 months after the
25 effective date of this Act, the Department of Human Services

1 shall: (i) develop a model notice that complies with the
2 requirements of Section 10 of this Act; or (ii) adopt a model
3 notice developed by the Illinois Task Force on Human
4 Trafficking that complies with the requirements of Section 10
5 of this Act. The Department of Human Services shall make the
6 model notice available for download on the Department's
7 Internet website. Upon request, the Department of Human
8 Services shall furnish copies of the model notice without
9 charge to a business, ~~or~~ establishment, or school identified in
10 ~~subsection (c) of~~ Section 5.

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

12 (775 ILCS 50/20)

13 Sec. 20. Penalties.

14 (a) A business or establishment identified in subsection
15 (a) of Section 5 that fails to comply with the requirements of
16 this Act within 30 days of receipt of a notice described in
17 subsection (b) is guilty of a petty offense, and subject to a
18 fine of up to \$500 for each violation ~~is liable for a civil~~
19 ~~penalty of \$500 for a first offense and \$1,000 for each~~
20 ~~subsequent offense.~~

21 (b) The governmental entity regulating a business or
22 establishment and local law enforcement agency having
23 jurisdiction ~~Department of Labor~~ shall, in the course of
24 regulating a business or establishment or carrying out law
25 enforcement duties, monitor and enforce compliance with this

1 Act. Upon discovering a violation, the governmental entity or
2 local law enforcement agency having jurisdiction ~~Department of~~
3 ~~Labor~~ shall provide the business or establishment with
4 reasonable notice of noncompliance that informs the business or
5 establishment that it is subject to a fine ~~civil penalty~~ if it
6 does not correct the violation within 30 days from the date the
7 notice is sent to the business or establishment.

8 (c) If the governmental entity regulating a business or
9 establishment or local law enforcement agency having
10 jurisdiction ~~Department of Labor~~ verifies that the violation
11 was not corrected within the 30-day period described in
12 subsection (b), the Attorney General or State's Attorney may
13 prosecute a violation of ~~may bring an action to impose a civil~~
14 ~~penalty pursuant to~~ this Section.

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