

ORDINANCE NO.: 2023-__

AN ORDINANCE PERTAINING TO THE POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS AT CERTAIN ESTABLISHMENTS PURSUANT TO SECTION 787.29, FLORIDA STATUTES; INCORPORATING RECITALS; REQUIRING THE POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, the typical victims of which are young children, teenagers, and adults; and,

WHEREAS, victims of human trafficking are subjected to force, fraud, and coercion for the purpose of sexual exploitation or forced labor; and,

WHEREAS, many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry; however, human trafficking also occurs in forms of labor exploitation, such as domestic servitude, restaurant work, janitorial work, sweatshop factory work, and migrant agricultural work; and,

WHEREAS, human traffickers use various techniques to instill fear in victims and keep them enslaved, such as isolation, confiscation of passports, visas, or other identification documents, threats of violence, and imprisonment or deportation; and,

1 WHEREAS, Section 787.29, Florida Statutes, requires the posting of human trafficking
2 public awareness signs in public transportation areas and in specified business establishments; and,

3 WHEREAS, the public awareness signs provide information regarding a hotline number to
4 the National Human Trafficking Resource Center (“NHTRC”); and,

5 WHEREAS, the NHTRC is funded by the United States Department of Health and Human
6 Services and is operated by a nonprofit, non-governmental organization that provides service referrals
7 to victims of human trafficking, tips to law enforcement, information to the public, training, and
8 technical assistance; and,

9 WHEREAS, the toll-free hotline is available to answer calls from anywhere in the United
10 States, 24 hours a day, seven days a week, and has the capability to answer calls in more than 200
11 languages; and,

12 WHEREAS, Florida law expressly authorizes counties to enforce the posting of human
13 trafficking public awareness signs in specified business establishments; and,

14 WHEREAS, the Hernando County Board of County Commissioners finds that, based on the
15 foregoing, it is in the interest of the health, safety, and welfare of its residents, and of those visitors
16 that travel through or spend time within the boundaries of Hernando County to enforce the posting
17 of human trafficking public awareness signs at specified business establishments.

18 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
19 COMMISSIONERS OF HERNANDO COUNTY:

1 **Section 1. Incorporation of Recitals.** The above-stated recitals are hereby accepted and
2 approved as being true and accurate, and are adopted and incorporated herein as if set out further at
3 length.

4 **Section 2. Requiring Posting of Human Trafficking Awareness Signs.** A new Hernando
5 County Code Section 21-5, to be entitled “Posting of Human Trafficking Public Awareness Signs,”
6 is hereby enacted to read as follows:

7 Sec. 21-5. Posting of Human Trafficking Public Awareness Signs.

8 (a) Definitions. The following words, phrases, or terms when used in this
9 ordinance shall, unless the content otherwise indicates, have the meanings provided
10 below:

11 Adult entertainment establishment encompasses any business or
12 establishment that is classified as a sexually oriented business pursuant to Hernando
13 County Code § 18-88 and defined in Hernando County Code § 18-87, as they may
14 be amended.

15 Bodywork services means services involving therapeutic touching or
16 manipulation of the body using specialized techniques consistent with Fla. Stat. §
17 787.29, as it may be amended.

18 Business or establishment means any place of business or any club,
19 organization, person, firm, corporation or partnership, wherein massage or bodywork
20 services are provided and such establishment is not owned by a health care profession

1 regulated pursuant to Fla. Stat. ch. 456 and defined in Fla. Stat. § 456.001, as they
2 may be amended.

3 *Human trafficking* means transporting, soliciting, recruiting, harboring,
4 providing, enticing, maintaining, or obtaining another person for the purpose of
5 exploitation of that person regulated pursuant to Fla. Stat. ch. 787 and defined in Fla.
6 Stat. § 787.06, as they may be amended.

7 *Massage services* means the manipulation of the soft tissues of the human
8 body with the hand, foot, arm, or elbow, whether or not such manipulation is aided
9 by hydrotherapy, including colonic irrigation, or thermal therapy; any electrical or
10 mechanical device; or the application to the human body of a chemical or herbal
11 preparation as provided for and consistent with the terms as defined in Fla. Stat. §
12 787.29, as it may be amended.

13 (b) General Requirements. The employer at each of the following establishments
14 shall display public awareness signs in a conspicuous location that is clearly visible
15 to the public and employees of the establishment:

16 (1) A strip club or other adult entertainment establishment; or,

17 (2) A business or establishment that offers massage or bodywork services
18 for compensation that is not owned by a health care profession regulated pursuant to
19 Fla. Stat. ch. 456 and defined in Fla. Stat. § 456.001, as they may be amended.

1 (c) Required Posting. The required public awareness sign must be at least 8.5
2 inches by 11 inches in size, must be printed in at least a 16-point type, and must state
3 substantially the following in English, Mandarin and Spanish:

4 “If you or someone you know is being forced to engage in an activity and cannot
5 leave-whether it is prostitution, housework, farm work, factory work, retail work,
6 restaurant work, or any other activity-call the National Human Trafficking Resource
7 Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and
8 services. Victims of slavery and human trafficking are protected under United States
9 and Florida law. Posted Pursuant to Fla. Stat. § 787.29 and Hernando County Code
10 § 21-5.”

11 (d) Additional Signage Required. Additional signage in the same language, size
12 and font as set forth in subsection (c) above shall also be posted in every bathroom
13 stall and within every dressing room within each of the establishments identified in
14 subsection (a) above:

15 “Have you ever been hit or made to perform sexual acts at work (or by someone
16 connected to your work) that you don't want to? Has anyone ever used drugs or the
17 threat of withholding drugs so you are dope sick to control you or to make you
18 perform sex acts? Do you have a manager, driver or someone else who controls your
19 money or schedule? Have you ever been in fear for your life or has someone ever
20 threatened another person or pet that you care about? Help is available 24/7 if you

1 call 1-888-373-7888 or text INFO or HELP to 233-733. You are not a criminal and
2 you will be protected under United States and Florida law. Posted Pursuant to Fla.
3 Stat. § 787.29 and Hernando County Code § 21-5.”

4 (e) Application. Pursuant to Fla. Stat. § 787.29, this section shall be applicable
5 in both the incorporated and unincorporated areas of Hernando County.

6 (f) Enforcement.

7 (1) Enforcement in County Court. Any law enforcement officer or code
8 enforcement officer may investigate any alleged violation of this section, and issue
9 a noncriminal civil citation for a violation of this section, as provided in Fla. Stat. §§
10 787.29 and 775.083.

11 (2) Enforcement by County Code Enforcement Special Master. In
12 addition, any violation hereunder may be prosecuted as described in Hernando
13 County Code Chapter 2, Article III, as it may be amended.

14 (3) Injunctive Relief. If necessary, the governing body, or any appropriate
15 official of the governing body, may institute appropriate action in a court of
16 competent jurisdiction to enjoin any violation of this section.

17 **Section 3. Severability.** It is declared to be the intent of the Board of County
18 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
19 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
20 validity of the remaining portions of this ordinance.

