
SECOND SUBSTITUTE HOUSE BILL 1651

State of Washington 64th Legislature 2016 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Ryu, Goodman, Rodne, Griffey, Van Werven, Wylie, Moscoso, Ormsby, and Santos)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to human trafficking definitions; and amending
2 RCW 19.320.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.320.010 and 2010 c 142 s 1 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Any person" means adults and children of any nationality.

9 (2) "Domestic employers of foreign workers" or "domestic
10 employer" means a person or persons residing in the state of
11 Washington who recruit or employ a foreign worker to perform work in
12 Washington state.

13 ~~((+2))~~ (3) "Forced labor" means all work or service which is
14 exacted from any person under the menace of any penalty and to which
15 the person has not offered himself or herself voluntarily.

16 (4) "Foreign worker" or "worker" means a person who is not a
17 citizen of the United States, who comes to Washington state based on
18 an offer of employment, and who holds a nonimmigrant visa for
19 temporary visitors.

20 ~~((+3))~~ (5) "Human trafficking" or "trafficking" means an act
21 conducted for the purpose of exploitation, including forced labor, by

1 particular means, for example, by threat of use of force or other
2 forms of coercion, abduction, or fraud or deception.

3 (6) "International labor recruitment agency" means a corporation,
4 partnership, business, or other legal entity, whether or not
5 organized under the laws of the United States or any state, that does
6 business in the United States and offers Washington state entities
7 engaged in the employment or recruitment of foreign workers,
8 employment referral services involving citizens of a foreign country
9 or countries by acting as an intermediary between these foreign
10 workers and Washington employers.

11 (7) "Menace of any penalty" means all forms of criminal sanctions
12 and other forms of coercion, including threats, violence, retention
13 of identity documents, confinement, nonpayment or illegal deduction
14 of wages, or debt bondage. "Menace of any penalty" does not include
15 requiring an employee to work overtime or to work certain hours,
16 days, or schedules as a condition of employment or continued
17 employment if the requirement is not prohibited under Washington
18 state and federal laws or regulations.

19 (8) "Work or service" means all types of work, employment, or
20 occupation, whether legal or not.

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