

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1756

66th Legislature
2019 Regular Session

Passed by the House April 22, 2019
Yeas 94 Nays 2

Speaker of the House of Representatives

Passed by the Senate April 10, 2019
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1756** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1756

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Representatives Orwall, Mosbrucker, Appleton, Frame, Goodman, Lovick, Gregerson, Sells, Davis, Doglio, and Ormsby

Read first time 01/30/19. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to safety and security of adult entertainers; and
2 adding a new section to chapter 49.17 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17
5 RCW to read as follows:

6 (1)(a) The department shall develop or contract for the
7 development of training for entertainers. The training must include,
8 but not be limited to:

9 (i) Education about the rights and responsibilities of
10 entertainers, including with respect to working as an employee or
11 independent contractor;

12 (ii) Reporting of workplace injuries, including sexual and
13 physical abuse and sexual harassment;

14 (iii) The risk of human trafficking;

15 (iv) Financial aspects of the entertainer profession; and

16 (v) Resources for assistance.

17 (b) As a condition of receiving or renewing an adult entertainer
18 license issued by a local government on or after July 1, 2020, an
19 entertainer must provide proof that the entertainer took the training
20 described in (a) of this subsection. The department must make the
21 training reasonably available to allow entertainers sufficient time

1 to take the training in order to receive or renew their licenses on
2 or after July 1, 2020.

3 (2) An adult entertainment establishment must provide a panic
4 button in each room in the establishment in which an entertainer may
5 be alone with a customer, and in bathrooms and dressing rooms. An
6 entertainer may use the panic button if the entertainer has been
7 harmed, reasonably believes there is a risk of harm, or there is an
8 other emergency in the entertainer's presence. The entertainer may
9 cease work and leave the immediate area to await the arrival of
10 assistance.

11 (3) (a) An adult entertainment establishment must record the
12 accusations it receives that a customer has committed an act of
13 violence, including assault, sexual assault, or sexual harassment,
14 towards an entertainer. The establishment must make every effort to
15 obtain the customer's name and if the establishment cannot determine
16 the name, it must record as much identifying information about the
17 customer as is reasonably possible. The establishment must retain a
18 record of the customer's identifying information for at least five
19 years after the most recent accusation.

20 (b) If an accusation is supported by a statement made under
21 penalty of perjury or other evidence, the adult entertainment
22 establishment must decline to allow the customer to return to the
23 establishment for at least three years after the date of the
24 incident. The establishment must share the information about the
25 customer with other establishments with common ownership and those
26 establishments with common ownership must also decline to allow the
27 customer to enter those establishments for at least three years after
28 the date of the incident. No entertainer may be required to provide
29 such a statement.

30 (4) For the purposes of enforcement, except for subsection (1) of
31 this section, this section shall be considered a safety or health
32 standard under this chapter.

33 (5) This section does not affect an employer's responsibility to
34 provide a place of employment free from recognized hazards or to
35 otherwise comply with this chapter and other employment laws.

36 (6) The department shall convene an entertainer advisory
37 committee to assist with the implementation of this section,
38 including the elements of the training under subsection (1) of this
39 section. At least half of the advisory committee members must be
40 former entertainers who held or current entertainers who have held an

1 adult entertainer license issued by a local government for at least
2 five years. At least one member of the advisory committee must be an
3 adult entertainment establishment which is licensed by a local
4 government and operating in the state of Washington. The advisory
5 committee shall also consider whether additional measures would
6 increase the safety and security of entertainers, such as by
7 examining ways to make the procedures described in subsection (3) of
8 this section more effective and reviewing the fee structure for
9 entertainers. If the advisory committee finds and recommends
10 additional measures that would increase the safety and security of
11 entertainers and that those additional measures would require
12 legislative action, the department must report those recommendations
13 to the appropriate committees of the legislature.

14 (7) The definitions in this subsection apply throughout this
15 section unless the context clearly requires otherwise.

16 (a) "Adult entertainment" means any exhibition, performance, or
17 dance of any type conducted in a premises where such exhibition,
18 performance, or dance involves an entertainer who:

19 (i) Is unclothed or in such attire, costume, or clothing as to
20 expose to view any portion of the breast below the top of the areola
21 or any portion of the pubic region, anus, buttocks, vulva, or
22 genitals; or

23 (ii) Touches, caresses, or fondles the breasts, buttocks, anus,
24 genitals, or pubic region of another person, or permits the touching,
25 caressing, or fondling of the entertainer's own breasts, buttocks,
26 anus, genitals, or pubic region by another person, with the intent to
27 sexually arouse or excite another person.

28 (b) "Adult entertainment establishment" or "establishment" means
29 any business to which the public, patrons, or members are invited or
30 admitted where an entertainer provides adult entertainment to a
31 member of the public, a patron, or a member.

32 (c) "Entertainer" means any person who provides adult
33 entertainment within an adult entertainment establishment, whether or
34 not a fee is charged or accepted for entertainment and whether or not
35 the person is an employee under RCW 49.17.020.

36 (d) "Panic button" means an emergency contact device by which the
37 entertainer may summon immediate on-scene assistance from another

1 entertainer, a security guard, or a representative of the
2 entertainment establishment.

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