

CERTIFICATION OF ENROLLMENT

SENATE BILL 5342

Chapter 4, Laws of 2016

64th Legislature
2016 Regular Session

HUMAN TRAFFICKING--FORCED LABOR--DEFINITIONS

EFFECTIVE DATE: 6/9/2016

Passed by the Senate February 5, 2016
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Passed by the House March 2, 2016
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 10, 2016 9:54 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5342** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 11, 2016

**Secretary of State
State of Washington**

SENATE BILL 5342

Passed Legislature - 2016 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By Senators Hasegawa, Kohl-Welles, Padden, McAuliffe, Brown, Keiser, Roach, Chase, and Conway

Read first time 01/20/15. Referred to Committee on Commerce & Labor.

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 threat of use of force or other forms
2 of coercion, abduction, fraud or deception, abuse of power, or abuse
3 of position of vulnerability.

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

12 (7) "Menace of any penalty" means all forms of criminal sanctions
13 and other forms of coercion, including threats, violence, retention
14 of identity documents, confinement, nonpayment or illegal deduction
15 of wages, or debt bondage.

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

Passed by the Senate February 5, 2016.

Passed by the House March 2, 2016.

Approved by the Governor March 10, 2016.

Filed in Office of Secretary of State March 11, 2016.