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**SENATE BILL 6517**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Nguyen and Wilson, C.

AN ACT Relating to adult entertainers; adding a new chapter to Title 49 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult entertainment" has the same meaning as in RCW 49.17.470.

(2) "Adult entertainment establishment" or "establishment" has the same meaning as in RCW 49.17.470.

(3) "Department" means the department of labor and industries.

(4) "Entertainer" has the same meaning as in RCW 49.17.470.

NEW SECTION. **Sec.**  (1) An adult entertainment establishment may not charge a fee or offer any monetary inducement to an entertainer who is not an employee under RCW 49.17.020 in return for the entertainer agreeing to a regular schedule of a performance or performances whether in a performance lease or otherwise.

(2)(a) Establishments may offer nonmonetary benefits to an entertainer, who is not an employee under RCW 49.17.020, who agrees to a regular schedule of a performance or performances whether in a performance lease or otherwise. Such nonmonetary benefits may include providing:

(i) For the entertainer's convenience or comfort;

(ii) Complimentary items limited to clothing, makeup, or accessories; or

(iii) A private dressing room.

(b) Nonscheduled entertainers may not be blocked from accessing or using locker rooms, nonprivate dressing rooms, or any other area in which entertainers prepare for performances.

(3)(a) An adult entertainment establishment may not charge an entertainer any cancellation, rebooking, or similar type fee for any performance or performance lease canceled by the entertainer if:

(i) The entertainer gives the establishment notice of cancellation at least twenty-four hours in advance; or

(ii) An establishment contracts with an additional entertainer for the same or similar performance time as the canceled performance.

(b) Any cancellation fee may not exceed the equivalent of two hours of the local minimum wage.

(4) The establishment may not charge any leasing fee that is greater than thirty percent of the entertainment fees collected by the entertainer during this leased date and time excluding tips paid to the entertainer if the following conditions are met:

(a) The entertainer is not an employee under RCW 49.17.020;

(b) The entertainer agrees to lease performance space from the establishment for at least four or more consecutive hours;

(c) The entertainer remains on the establishment's premises for the duration of this leased time; and

(d) The total amount the entertainer has been paid by customers to perform an exhibition, performance, or dance of any type is less than the leasing fee for this leased date and time.

NEW SECTION. **Sec.**  (1) If an adult entertainment establishment contracts with an entertainer who is not an employee under RCW 49.17.020, the establishment must allow the entertainer to collect payment from customers prior to or during the entertainer performing any exhibition, performance, or dance of any type.

(2) No city, county, or other political subdivision of this state may prohibit or otherwise prevent entertainers from collecting any form of payment from customers prior to or during the entertainer performing any exhibition, performance, or dance of any type.

NEW SECTION. **Sec.**  The only debt or loan an entertainer who is not an employee under RCW 49.17.020 may incur to an adult entertainment establishment must be amounts for city licensing fees and cancellation fees pursuant to section 2 of this act. An adult entertainment establishment may not require payments on any debt or loan from an entertainer exceeding thirty percent of the entertainment fees collected by the entertainer during any leased date and time excluding tips paid to the entertainer.

NEW SECTION. **Sec.**  (1) Upon complaint by an entertainer, the director of the department may investigate to determine if there has been compliance with this chapter. The director may also initiate an investigation on behalf of one or more entertainers for a violation of this chapter.

(2) Any violation of the provisions of this chapter or rules adopted under this chapter shall be a class 1 civil infraction. The maximum penalty and default amount is five hundred dollars. The director shall have the authority to issue and enforce civil infractions according to chapter 7.80 RCW.

NEW SECTION. **Sec.**  Sections 1 through 5 of this act constitute a new chapter in Title 49 RCW.

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