
ENGROSSED HOUSE BILL 1756

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, an entertainer must provide
19 proof that the entertainer took the training described in (a) of this
20 subsection.

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

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

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

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

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

34 (6) The department shall convene an entertainer advisory
35 committee to assist with the implementation of this section,
36 including the elements of the training under subsection (1) of this
37 section. At least half of the advisory committee members must be
38 former entertainers who held or current entertainers who have held an
39 adult entertainer license issued by a local government for at least
40 five years. The advisory committee shall also consider whether

1 additional measures would increase the safety and security of
2 entertainers, such as by examining ways to make the procedures
3 described in subsection (3) of this section more effective and
4 reviewing the fee structure for entertainers. If the advisory
5 committee finds and recommends additional measures that would
6 increase the safety and security of entertainers and that those
7 additional measures would require legislative action, the department
8 must report those recommendations to the appropriate committees of
9 the legislature.

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

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

15 (i) Is unclothed or in such attire, costume, or clothing as to
16 expose to view any portion of the breast below the top of the areola
17 or any portion of the pubic region, anus, buttocks, vulva, or
18 genitals; or

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

24 (b) "Adult entertainment establishment" or "establishment" means
25 any business to which the public, patrons, or members are invited or
26 admitted where an entertainer provides adult entertainment to a
27 member of the public, a patron, or a member.

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

32 (d) "Panic button" means an emergency contact device by which the
33 entertainer may summon immediate on-scene assistance from another
34 entertainer, a security guard, or a representative of the
35 entertainment establishment.

--- END ---