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**HOUSE BILL 1756**

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**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; and

15 (iv) Resources for assistance.

16 (b) As a condition of receiving or renewing an adult entertainer  
17 license issued by a local government, an entertainer must sign an  
18 affidavit stating that the entertainer has taken the training  
19 described in (a) of this subsection.

20 (2) An adult entertainment establishment must provide a panic  
21 button to each entertainer who performs in the establishment, at no

1 cost to the entertainer. An entertainer may use the panic button if  
2 the entertainer reasonably believes there is an ongoing crime,  
3 harassment, or other emergency in the entertainer's presence. The  
4 entertainer may cease work and leave the immediate area of perceived  
5 danger to await the arrival of assistance.

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

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

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

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

31 (6) The department shall convene an entertainer advisory  
32 committee to assist with the implementation of this section,  
33 including the elements of the training under subsection (1) of this  
34 section. If the advisory committee recommends that additional  
35 measures would increase the safety and security of entertainers and  
36 that those additional measures would require legislative action, the  
37 department must report those recommendations to the appropriate  
38 committees of the legislature.

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

1 (a) "Adult entertainment" means any exhibition, performance, or  
2 dance of any type conducted in a premises where such exhibition,  
3 performance, or dance involves an entertainer who:  
4 (i) Is unclothed or in such attire, costume, or clothing as to  
5 expose to view any portion of the breast below the top of the areola  
6 or any portion of the pubic region, anus, buttocks, vulva, or  
7 genitals; or  
8 (ii) Touches, caresses, or fondles the breasts, buttocks, anus,  
9 genitals, or pubic region of another person, or permits the touching,  
10 caressing, or fondling of the entertainer's own breasts, buttocks,  
11 anus, genitals, or pubic region by another person, with the intent to  
12 sexually arouse or excite another person.  
13 (b) "Adult entertainment establishment" or "establishment" means  
14 any business to which the public, patrons, or members are invited or  
15 admitted where an entertainer provides adult entertainment to a  
16 member of the public, a patron, or a member.  
17 (c) "Entertainer" means any person who provides adult  
18 entertainment within an adult entertainment establishment, whether or  
19 not a fee is charged or accepted for entertainment and whether or not  
20 the person is an employee under RCW 49.17.020.  
21 (d) "Panic button" means an emergency contact device carried by  
22 an entertainer by which the entertainer may summon immediate on-scene  
23 assistance from another entertainer, a security guard, or a  
24 representative of the entertainment establishment.

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