

1 A bill to be entitled
 2 An act relating to human trafficking; creating s.
 3 480.0535, F.S.; specifying documents that must be
 4 possessed by each person providing or offering to provide
 5 massage services in certain circumstances; requiring
 6 presentation of such documents upon request of a law
 7 enforcement officer; requiring operators of massage
 8 establishments to maintain valid work authorization
 9 documents on the premises for each employee who is not a
 10 United States citizen; requiring presentation of such
 11 documents upon request of a law enforcement officer;
 12 prohibiting a person from providing or offering to provide
 13 massage services without possession of a license and
 14 specified documentation; prohibiting the use of a massage
 15 establishment license for the purpose of lewdness,
 16 assignation, or prostitution; providing criminal
 17 penalties; providing an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Section 480.0535, Florida Statutes, is created
 22 to read:

23 480.0535 Documents required while offering or providing
 24 massage services.—

25 (1) To provide law enforcement the means to more
 26 effectively identify, investigate, and arrest persons engaging
 27 in human trafficking as defined in s. 787.06 or prostitution as
 28 proscribed by chapter 796 by the fraudulent or valid use of a

29 license to practice massage therapy or operate a massage
 30 establishment:

31 (a) Each person providing or offering to provide massage
 32 services for compensation or on behalf of a massage
 33 establishment or for any business must have in his or her
 34 possession, and it is unlawful to provide or offer to provide
 35 massage services without, a wallet-size identification license
 36 card or wall license card issued by the Department of Health
 37 pursuant to s. 456.013, plus one of the following documents
 38 specifically issued to such person:

39 1. A current driver's license or identification card
 40 issued by a state.

41 2. A valid passport issued by the United States of
 42 America.

43 3. A valid I-551 permanent resident card.

44 4. A valid employment authorization document.

45 (b) Upon request by a law enforcement officer, each person
 46 providing or offering to provide massage services for
 47 compensation or on behalf of a massage establishment or for any
 48 business must present the wallet-size identification license
 49 card or wall license card issued in his or her name by the
 50 Department of Health pursuant to s. 456.013, plus one of the
 51 additional documents specified in paragraph (a).

52 (2) (a) Any person, firm, or corporation operating a
 53 massage establishment pursuant to s. 480.043 shall maintain, and
 54 it is unlawful to operate a massage establishment without, a
 55 valid work authorization document on the premises for each
 56 employee who is not a United States citizen. Valid work

57 authorization documents for an employee who is not a United
 58 States citizen include:

- 59 1. A valid I-551 permanent resident card.
- 60 2. A valid employment authorization document.

61 (b) Upon request by a law enforcement officer, any person,
 62 firm, or corporation operating a massage establishment must
 63 present one of the documents specified in paragraph (a) for each
 64 employee who is not a United States citizen.

65 (3) A person may not offer or provide massage services for
 66 compensation or on behalf of a massage establishment or for any
 67 business without being in possession of a valid wallet-size
 68 identification license card or wall license card issued in his
 69 or her name by the Department of Health pursuant to s. 456.013
 70 and one of the following documents issued in his or her name:

- 71 (a) A current driver's license;
- 72 (b) An identification card issued by a state;
- 73 (c) A valid passport issued by the Department of State of
 74 the United States;
- 75 (d) A valid I-551 permanent residence card; or
- 76 (e) A valid employment authorization document.

77 (4) It is unlawful to knowingly use a massage
 78 establishment license issued under s. 480.043 for the purpose of
 79 lewdness, assignation, or prostitution at any massage
 80 establishment location or structure, or any part thereof,
 81 including any trailer or other conveyance.

82 (5) A person who violates any provision of this section
 83 commits:

- 84 (a) A misdemeanor of the second degree for a first

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85 violation, punishable as provided in s. 775.082 or s. 775.083.

86 (b) A misdemeanor of the first degree for a second
87 violation, punishable as provided in s. 775.082 or s. 775.083.

88 (c) A felony of the third degree for a third or subsequent
89 violation, punishable as provided in s. 775.082, s. 775.083, or
90 s. 775.084.

91 Section 2. This act shall take effect July 1, 2010.