

By Senator Joyner

18-00037-12

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1                   A bill to be entitled  
2           An act relating to human trafficking; creating s.  
3           480.0535, F.S.; requiring operators of massage  
4           establishments to maintain valid work authorization  
5           documents on the premises for each employee who is not  
6           a United States citizen; requiring presentation of  
7           such documents upon request of a law enforcement  
8           officer; prohibiting the use of a massage  
9           establishment license for the purpose of lewdness,  
10          assignation, or prostitution; providing criminal  
11          penalties; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Section 480.0535, Florida Statutes, is created  
16 to read:

17           480.0535 Documents required while offering or providing  
18 massage services.-

19           (1) In order to provide law enforcement agencies the means  
20 to more effectively identify, investigate, and arrest persons  
21 engaging in human trafficking as defined in s. 787.06:

22           (a) A person operating a massage establishment pursuant to  
23 s. 480.043 shall maintain, and it is unlawful to operate a  
24 massage establishment without, a valid work authorization  
25 document on the premises for each employee who is not a United  
26 States citizen. Valid work authorization documents for an  
27 employee who is not a United States citizen include:

28           1. A valid I-551 permanent resident card; or

29           2. A valid government-issued employment authorization

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30 document.

31 (b) Upon request by a law enforcement officer, any person  
32 operating a massage establishment must present one of the  
33 documents specified in paragraph (a) for each employee who is  
34 not a United States citizen.

35 (2) A person operating a massage establishment may not  
36 knowingly use a license for operation of a massage establishment  
37 issued under s. 480.043 for the purpose of lewdness,  
38 assignment, or prostitution, as these terms are defined in s.  
39 796.07, at any massage establishment location or structure, or  
40 any part thereof, including any trailer or other conveyance.

41 (3) A person who violates any provision of this section  
42 commits:

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

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

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

50 Section 2. This act shall take effect October 1, 2012.