
SENATE BILL 5724

State of Washington

66th Legislature

2019 Regular Session

By Senators Saldaña, Nguyen, and Salomon

Read first time 01/30/19. Referred to Committee on Labor & Commerce.

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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