

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB513

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: February 25, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 513 adopts the Escort Services Accountability and Permit Act.

This act defines escort and creates a permit structure for escort agencies and their employees to be implemented by local governing bodies of counties, cities, and villages only when the local governing body has received a request from a person wanting to operate a escort agency within their jurisdiction.

The purpose of the act is for the protection of the economic and social welfare and the health, welfare, and safety of the people of this state. In this context LB 513 seeks to bring accountability to the escort or private erotic entertainment industry, lessening the negative secondary effects such businesses cause in communities across the state.

The private nature in which employees of such businesses work creates a climate where the line between legal and illegal activities is easily crossed. Prostitution and other crimes are notoriously connected to many of these businesses. In addition, and maybe most importantly, evidence is emerging that some of these businesses are engaging in the coercion of women and underage girls and boys through *human trafficking*.

In order to regulate this industry, prevent the flaunting of our prostitution and human trafficking laws, and provide an additional tool for law enforcement to reach the operators flaunting these laws, LB 513 requires several things.

To obtain a escort agency permit or escort agency employee permit, the local permit authority would be required to obtain fingerprints; criminal history; proof that all employees, owners, and operators are at least 18 years old; and other pertinent information for the local permit authority to evaluate the applicant.

Under LB 513, it shall be unlawful for a person:

1. To operate an escort agency without a permit pursuant to section 6 of the act,
2. Who operates an escort agency to employ an individual to work for such agency who does not hold a permit as an escort agency employee pursuant to section 7 of this act,

3. Who operates an escort agency to allow an escort agency employee to be in a state of nudity while in the presence of a patron,
4. To hold himself or herself out as an escort agency or to use or display the words escort agency without a permit pursuant to section 6 of this act,
5. To act as an escort agency employee without a permit pursuant to section 7 of this act,
6. Who holds a permit as an escort agency employee and does not have the permit on his or her person at all times,
7. Who holds a permit as an escort agency employee to touch a patron while in a state of semi-nudity,
8. Who is a patron to be in a state of nudity or semi-nudity while in the presence of an escort agency employee,
9. Who is a patron to touch an escort agency employee while he or she is in a state of semi-nudity, and
10. Who operates an escort agency to provide a service to any person under the age of eighteen years as a patron of the escort agency.

Violations 1 through 4, and 8 through 10 on this page would be a Class I Misdemeanor.
Violations 5 through 7 would be a Class IV Misdemeanor.

In addition, LB 513 would require an escort agency to provide every patron a written contract for services. The contract shall contain the escort agency employee's name, the name and address of patron, services performed, the length of time of services, the compensation, any special terms, and a statement that prostitution is illegal in this state. A copy of all such contracts will be provided to the local permit authority monthly, and the contract shall be considered open public records.

Principal Introducer: _____

Senator Mark Christensen