

HUMAN TRAFFICKING NOTICE ENFORCEMENT

O.C.G.A.
16-5-47

WHAT MUST BE POSTED

The model poster created by GBI or a poster substantially similar. It can have more information than the GBI poster, but not less, and must be 8½ by 11 or larger in size with 16 point font.

{ <https://gbi.georgia.gov/documents/human-trafficking-notice> }

WHO MUST POST *(see statute for definitions of each location)*

- Adult entertainment establishments
- Bars
- Government buildings*
- Hotels
- Urgent care centers
- Farm labor contractors and day haulers
- Safety rest areas located along interstate highways in this state
- Privately operated job recruitment centers
- Passenger rail or light rail stations
- Bus stations
- Primary airports and truck stops
- Emergency rooms within general acute care hospitals
- Businesses and establishments that offer massage or bodywork services by a person who is not a massage therapist

WHERE MUST THE NOTICE BE POSTED

(1) In each public restroom and (2) either in a conspicuous place near the public entrance or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted.

HOW TO ENFORCE

1. Inspect each business in your jurisdiction required to post a notice to determine if they are following the law. If not,
2. A written letter must be delivered to the owner either by hand or by mailing to the establishment. *(It is best practice, though not required by statute, to have the owner sign and date a copy of the letter acknowledging receipt, or to send certified mail return receipt to show proof of receipt.)*
3. The letter must state at a minimum:
 - a. This establishment has failed to comply with the requirements of O.C.G.A. 16-5-47 and if it does not correct the violation within 30 days from the date of receipt of the notice, the owner of such business or establishment shall be charged with a violation of O.C.G.A. 16-5-47 and upon conviction shall be guilty of the misdemeanor offense of failure to post the National Human Trafficking Resource Center hotline number and may be punished by a fine of not more than \$500.00; but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against an owner for conviction thereof. Upon a second or subsequent conviction, the owner shall be guilty of a high and aggravated misdemeanor and shall be punished by a fine not to exceed \$5,000.00.
4. Thirty days after the letter is received, if the establishment has not become compliant, the owner shall be charged with misdemeanor “Failure to post the National Human Trafficking Resource Center Hotline Number” O.C.G.A. 16-5-47
5. After the adjudication of the case, the location should be re-inspected and if they are still not in compliance, the whole process should begin again, with the same letter notifying the owner and a fresh 30 days given to correct it before they are charged.