

AMENDED IN SENATE JULY 3, 2013
AMENDED IN SENATE JUNE 20, 2013
AMENDED IN ASSEMBLY MARCH 19, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 640

Introduced by Assembly Member Hall

February 20, 2013

An act to add Section 6720 to the Labor Code, relating to employee safety, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 640, as amended, Hall. Employee safety: adult film industry: local regulation.

Existing law, the California Occupational Safety and Health Act of 1973, establishes the Division of Occupational Safety and Health for the purpose of ensuring safe and healthful working conditions for all Californians.

This bill would, notwithstanding any other law, authorize a city, county, or city and county to adopt and enforce a local ordinance that protects against the exposure of workers to blood or other potentially infectious materials during the filming or production of an adult film, as defined.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6720 is added to the Labor Code, to read:

2 6720. (a) The Legislature finds and declares that the protection
3 of workers in the adult film industry is the responsibility of multiple
4 layers of government.

5 (b) Notwithstanding any other law, a city, county, or city and
6 county may adopt and enforce a local ordinance that protects
7 against the exposure of workers to blood or other potentially
8 infectious materials during the filming or production of an adult
9 film.

10 (c) For the purposes of this section, “adult film” means any
11 commercial film, video, multimedia, or other representation during
12 the production of which performers actually engage in sexual
13 intercourse, including, but not limited to, oral, vaginal, or anal
14 penetration, and including, but not limited to, any other sexual
15 activity that may result in the transmission of blood or any other
16 potentially infectious materials.

17 (d) Violations of ordinances adopted pursuant to this section
18 shall not be subject to penalties set forth in Chapter 4 (commencing
19 with Section 6423).

20 *SEC. 2. This act is an urgency statute necessary for the*
21 *immediate preservation of the public peace, health, or safety within*
22 *the meaning of Article IV of the Constitution and shall go into*
23 *immediate effect. The facts constituting the necessity are:*

24 *In order to protect workers in the adult film industry from an*
25 *imminent threat to public health as soon as possible, it is necessary*
26 *that this act take effect immediately.*