

HOUSE BILL NO. 1507

Introduced by

Representatives Buffalo, Heinert, C. Johnson, Jones, Magrum, Satrom, Schneider

Senators Hogan, Kannianen, Luick, Marcellais, Myrdal

1 A BILL for an Act to create and enact section 54-12-33.1 of the North Dakota Century Code,
2 relating to human trafficking prevention training; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Section 54-12-33.1 of the North Dakota Century Code is created and enacted
5 as follows:

6 **54-12-33.1. Human trafficking prevention training - Exemptions - Immunity -**
7 **Enforcement.**

8 1. As used in this section:

9 a. "Human trafficking" means human trafficking as defined in chapter 12.1-41.

10 b. "Human trafficking commission" means the commission established under
11 section 54-12-33.

12 c. "Lodging establishment" means any hotel, motel, resort, building, or structure that
13 is used to provide sleeping accommodations to transient guests.

14 d. "Proprietor" means the person in charge of a lodging establishment and includes
15 an owner, lessee, and manager.

16 2. Within ninety days of the effective date of this Act, the human trafficking commission
17 shall establish an educational training program with a focus on the accurate and
18 prompt identification and reporting of, or response to, suspected human trafficking. To
19 the extent possible, the human trafficking commission shall allow the use of existing
20 training modules and materials. The training must include:

21 a. Human trafficking awareness;

22 b. How to recognize potential victims of human trafficking;

23 c. How to identify activities commonly associated with human trafficking; and

- 1 d. Effective responses to human trafficking situations, including how to report
2 suspected human trafficking to law enforcement.
- 3 3. A proprietor shall ensure each onsite employee receives the training described in
4 subsection 2 within ninety days of the date of hire or within one hundred twenty days
5 of the effective date of this Act, whichever is later, and annually thereafter. A proprietor
6 shall:
- 7 a. In an employee roster or in each employee's personnel file, annually certify each
8 employee has received the training approved by the human trafficking
9 commission.
- 10 b. Conduct an ongoing awareness campaign for employees which addresses the
11 information described in subsection 2.
- 12 4. A proprietor shall post and maintain a poster approved by the human trafficking
13 commission which contains the information described in subsection 2 in a place
14 readily accessible to each onsite employee.
- 15 5. The training requirements provided in this section do not apply to an employee who:
- 16 a. Is under sixteen years of age, unless the employee cleans guest rooms;
17 b. Works exclusively in a food establishment; or
18 c. Does not have direct contact with transient guests or guest rooms.
- 19 6. The human trafficking commission shall provide to a proprietor, the contact information
20 for an organization that provides assistance and support services to human trafficking
21 victims. A proprietor shall make the contact information available to transient guests or
22 display the contact information at the lodging establishment's check-in area, lobby, or
23 transient guest services.
- 24 7. A proprietor or employee of a lodging establishment who acts in good faith is immune
25 from liability in any civil action for reporting suspected human trafficking activities.
- 26 8. a. If a proprietor fails to comply with this section, the human trafficking commission
27 shall provide written notice to the proprietor of the failure to provide the required
28 prevention training and give the proprietor ninety days to comply with the
29 requirements of this section.

- 1 b. A proprietor that violates this section after receiving notice from the human
- 2 trafficking commission of the violation and has been given ninety days to correct
- 3 the violation, is guilty of a class B misdemeanor.
- 4 c. A state's attorney may prosecute any violation of this section.