



[HF 2259](#) – Human Trafficking Training, Hotels (LSB5728YH.1)
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Fiscal Note Version – Final Action

Description

[House File 2259](#) relates to human trafficking prevention training and reporting for employees of Iowa-based lodging providers as defined in Iowa Code section [423A.2](#). The Bill requires the Office to Combat Human Trafficking (OCHT), in collaboration with other government agencies, nongovernmental agencies, and community organizations that have expertise in the area of human trafficking prevention, to develop a human trafficking prevention training program. Lodging providers within the State may choose to voluntarily participate in the training beginning January 1, 2022. The training must focus on accurate and prompt identification and reporting of, or response to, suspected human trafficking. At a minimum, the training must include the following:

- A general overview of human trafficking.
- A general overview of State law on human trafficking.
- The definition of human trafficking and the commercial exploitation of children.
- Guidance on the difference between labor trafficking and sex trafficking.
- Guidance on how to recognize potential human trafficking victims.
- Guidance on how to recognize potential human traffickers.
- Guidance on how to identify activities commonly associated with human trafficking.
- Safe and effective responses to human trafficking situations, including but not limited to how to report suspected human trafficking to proper law enforcement officials.

The training must be approved by the Commissioner of the Department of Public Safety (DPS), who is also tasked with adopting rules to implement and administer the training as necessary under Iowa Code chapter [17A](#).

House File 2259 also requires that no later than December 31, 2021, the Commissioner must develop and maintain both of the following to certify a lodging provider's voluntary completion of the human trafficking prevention training:

- A certificate issued by the Commissioner that the lodging provider may display in an area visible to the public. Certification is valid for three years from the time of award of the certificate.
- An Internet site available to the public that identifies all certified lodging providers in the State. This website is to be maintained by the DPS.

The Bill also specifies that a public employer as defined under Iowa Code section [20.3](#) or an employee of a public employer must confirm a lodging provider's current certification status on the DPS Internet site prior to expending or committing public funds to the lodging provider for certain purposes such as procuring lodging; procuring space or services for a conference, meeting, or banquet located at a site where lodging is available; or hosting a conference, meeting, or banquet located at such a site. If a lodging provider is not certified as having completed human trafficking prevention training, a public employer or employee thereof cannot

use public funds for the purposes listed above. This applies to all public funds expended for these purposes on or after January 1, 2022.

House File 2259 provides that a lodging provider’s employee who acts in good faith is immune from civil liability for reporting suspected human trafficking activities to any law enforcement official.

Background

The OCHT was established as a unit under the DPS in 2016. The OCHT serves as the point of contact for anti-human trafficking activity within the State, consulting and collaborating with other agencies and organizations that have expertise in dealing with the crime of human trafficking. The OCHT is tasked with developing a strategy to collect and maintain criminal history data on incidents related to human trafficking, as well as sharing victim and offender data with other governmental agencies.

Human trafficking is defined under the federal [Victims of Trafficking and Violence Protection Act of 2000](#) as the recruitment, harboring, transporting, or obtaining of a person by means of force, fraud, or coercion for purposes of servitude, debt bondage, slavery, or participation in the sex trade. It may include, but does not require, physical movement of the victim. Human trafficking may also include other crimes such as drug trafficking, larceny, and money laundering, as traffickers are frequently involved in other illegal activities.

Assumptions

- The DPS estimates that more than 1,000 lodging providers located in the State would be eligible to participate in human trafficking prevention training.
- In order to ensure and maintain efficient communication and statewide compliance, the DPS would need to hire one additional full-time equivalent (FTE) position.
- It is likely that costs related to management of the database containing all certified lodging providers will decrease during the second year of implementation as initial development costs will no longer be charged.

Fiscal Impact

Estimated Costs, House File 2259

<u>Category</u>	<u>Est. Cost</u>	
	<u>FY 2021</u>	<u>FY 2022</u>
Salary and Benefits		
Senior Criminal Intelligence Analyst	\$ 65,000	\$ 65,000
Certificate/Publication Printer	\$ 9,000	N/A
Webmaster Vendor	\$ 40,000	\$ 40,000
Video Production	\$ 15,000	\$ 15,000
Database Management	\$ 25,000	\$ 15,000
Publications	\$ 2,000	\$ 2,000
Total	\$ 156,000	\$ 137,000

Additionally, the DPS would need to initiate a request for proposal (RFP) process to find a suitable vendor to provide the webmaster content for the public Internet site that is intended to identify lodging providers certified by the Department as having successfully completed the human trafficking prevention training. The cost related to initiating an RFP is not included in the table above and would likely require additional funding in the first year of implementation. Funding for the FTE position and related costs for the establishment and implementation of human trafficking prevention training by the OCHT of the DPS would likely be appropriated from the General Fund.

Sources

Legislative Services Agency
Department of Public Safety

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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