

House File 2259 - Introduced

HOUSE FILE 2259

BY MOHR

A BILL FOR

1 An Act relating to human trafficking prevention training and
2 reporting for employees of lodging providers in the state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80.45A Human trafficking prevention
2 training — lodging providers.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Commissioner*" means the commissioner of the department
6 of public safety or the commissioner's designee.

7 b. "*Human trafficking*" means the same as defined in section
8 710A.1.

9 c. "*Lodging*" means the same as defined in section 423A.2.

10 d. "*Lodging provider*" means the same as defined in section
11 423A.2.

12 e. "*Lodging provider's employee*" means an individual who is
13 employed by a lodging provider, including an owner, operator,
14 manager, and temporary employee.

15 f. "*Public employee*" means an individual employed by a
16 public employer.

17 g. "*Public employer*" means the same as defined in section
18 20.3.

19 h. "*Public funds*" means the same as defined in section
20 12C.1.

21 i. "*Temporary employee*" means an individual who is employed
22 by a temporary employment firm to provide services to a lodging
23 provider to supplement the lodging provider's workforce during
24 absences, seasonal workloads, temporary skill or labor market
25 shortages, and for special assignments and projects.

26 j. "*Temporary employment firm*" means a person engaged in the
27 business of employing temporary employees.

28 2. *Human trafficking prevention training.*

29 a. Beginning January 1, 2022, a lodging provider may
30 voluntarily complete and certify to the commissioner that
31 each of the lodging provider's employees have completed human
32 trafficking prevention training.

33 b. The human trafficking prevention training may be
34 developed and delivered to lodging providers by the office
35 to combat human trafficking, a governmental agency, or

1 nongovernmental or community organization that has expertise
2 in the area of human trafficking. The human trafficking
3 prevention training must be approved by the commissioner.

4 *c.* A lodging provider shall maintain training records for
5 each of the lodging provider's employees pursuant to rules
6 adopted by the commissioner.

7 3. *Human trafficking prevention training content.* The human
8 trafficking prevention training shall focus on the accurate
9 and prompt identification and reporting of, or response to,
10 suspected human trafficking. The human trafficking prevention
11 training shall include, at a minimum, all of the following:

12 *a.* A general overview of human trafficking.

13 *b.* A general overview of state law on human trafficking.

14 *c.* The definition of human trafficking and the commercial
15 exploitation of children.

16 *d.* Guidance on the difference between labor trafficking and
17 sex trafficking.

18 *e.* Guidance on how to recognize potential human trafficking
19 victims.

20 *f.* Guidance on how to recognize potential human traffickers.

21 *g.* Guidance on how to identify activities commonly
22 associated with human trafficking.

23 *h.* Safe and effective responses to human trafficking
24 situations, including but not limited to how to report
25 suspected human trafficking to proper law enforcement
26 officials.

27 4. *Certification by the commissioner.* No later than
28 December 31, 2021, the commissioner shall develop and maintain
29 all of the following to certify a lodging provider's voluntary
30 completion of human trafficking prevention training:

31 *a.* A certification issued by the commissioner that a lodging
32 provider may display, in an area readily visible to the public,
33 in the following areas of all lodging owned, operated, or owned
34 and operated by the lodging provider:

35 (1) The front entrance of the lodging.

1 (2) The check-in area of the lodging.

2 (3) Any internet site advertising or promoting the lodging.

3 *b.* An internet site, readily accessible to the public, that
4 identifies lodging providers in this state that are certified
5 as having completed human trafficking prevention training. The
6 internet site shall be maintained by the department.

7 5. *Certification for utilization of public funds.*

8 *a.* Prior to expending or committing public funds for a
9 purpose described in paragraph "c", a public employer or a
10 public employee shall confirm a lodging provider's current
11 certification status on the internet site maintained by the
12 department pursuant to subsection 4, paragraph "b".

13 *b.* A certification issued pursuant to subsection 4,
14 paragraph "a" shall be valid for three years from the date the
15 commissioner issues the certification to a lodging provider.

16 *c.* If a lodging provider is not certified as having
17 completed human trafficking prevention training pursuant to
18 subsection 4, paragraph "a", a public employer and a public
19 employee shall not use public funds for any of the following
20 purposes:

21 (1) To procure lodging that is owned, operated, or owned and
22 operated by the lodging provider.

23 (2) To procure space or services for a conference, meeting,
24 or banquet located at a site where lodging is available that is
25 owned, operated, or owned and operated by the lodging provider.

26 (3) To host a conference, meeting, or banquet at a site
27 where lodging is available that is owned, operated, or owned
28 and operated by the lodging provider.

29 *d.* This section applies to all public funds expended for a
30 purpose described in paragraph "c" on or after January 1, 2022.

31 6. *Immunity.* A lodging provider's employee who acts in
32 good faith shall be immune from civil liability for reporting
33 suspected human trafficking activities to any law enforcement
34 official.

35 7. *Rules.* The commissioner shall adopt rules pursuant

1 to chapter 17A as necessary to implement and administer this
2 chapter.

3

EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill relates to human trafficking prevention training
7 and reporting for employees of lodging providers in the state.
8 Beginning January 1, 2022, a lodging provider may
9 voluntarily complete and certify to the commissioner of public
10 safety (commissioner) that each of the lodging provider's
11 employees have completed human trafficking prevention
12 training (training). The training may be developed and
13 delivered to lodging providers by the office to combat human
14 trafficking, a governmental agency, or nongovernmental or
15 community organization that has expertise in the area of human
16 trafficking. The human trafficking prevention training must be
17 approved by the commissioner.

18 The human trafficking prevention training must focus on
19 the accurate and prompt identification and reporting of,
20 and response to, suspected human trafficking. The minimum
21 requirements for the training content are outlined in the bill.
22 A lodging provider must maintain training records for each of
23 the lodging provider's employees pursuant to rules adopted by
24 the commissioner.

25 No later than December 31, 2021, the commissioner must
26 develop and maintain a certification process as detailed in the
27 bill to certify a lodging provider's voluntary completion of
28 the human trafficking prevention training. A certification is
29 valid for three years from the date the commissioner issues
30 the certification to a lodging provider. The commissioner is
31 required to create an internet site, readily accessible to
32 the public, that identifies lodging providers in this state
33 that are certified as having completed the human trafficking
34 prevention training. The department of public safety
35 (department) is required to maintain the internet site.

1 A public employer or a public employee must confirm a lodging
2 provider's current certification status on an internet site
3 maintained by the department prior to expending or committing
4 public funds for certain purposes. If a lodging provider is
5 not certified as having completed human trafficking prevention
6 training, a public employer or a public employee cannot use
7 public funds 1) to procure lodging that is owned, operated,
8 or owned and operated by the lodging provider; 2) to procure
9 space or services for a conference, meeting, or banquet located
10 at a site where lodging is available that is owned, operated,
11 or owned and operated by the lodging provider; or 3) to host
12 a conference, meeting, or banquet at a site where lodging is
13 available that is owned, operated, or owned and operated by the
14 lodging provider. This applies to all public funds expended
15 for these purposes on or after January 1, 2022.

16 A lodging provider's employee who acts in good faith is
17 immune from civil liability for reporting suspected human
18 trafficking activities to any law enforcement official.

19 The bill directs the commissioner to adopt rules as
20 necessary to implement and administer the provisions of the
21 bill.