

**House File 2305 - Introduced**

HOUSE FILE 2305

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**A BILL FOR**

1 An Act relating to human trafficking prevention training, by  
2 providing for certification of lodging providers who have  
3 voluntarily completed training and prohibiting the use of  
4 public funds to procure lodging, facilities, or services  
5 from noncertified lodging providers.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 8A.520 Public funds — certified  
2 lodging providers.

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

5 a. "Lodging" means the same as defined in section 423A.2.

6 b. "Lodging provider" means the same as defined in section  
7 423A.2.

8 c. "Public employee" means an individual employed by a  
9 public employer.

10 d. "Public employer" means the same as defined in section  
11 20.3.

12 e. "Public funds" means the same as defined in section  
13 12C.1.

14 2. If a lodging provider is not certified as having  
15 completed human trafficking prevention training pursuant to  
16 section 80.45A, a public employer and a public employee shall  
17 not use public funds for any of the following purposes:

18 a. To procure lodging that is owned, operated, or owned and  
19 operated by the lodging provider.

20 b. To procure space or services for a conference, meeting,  
21 or banquet located at a site where lodging is available that is  
22 owned, operated, or owned and operated by the lodging provider.

23 c. To host a conference, meeting, or banquet at a site where  
24 lodging is available that is owned, operated, or owned and  
25 operated by the lodging provider.

26 3. Prior to expending or committing public funds for a  
27 purpose described in subsection 2, a public employer or a  
28 public employee shall confirm a lodging provider's current  
29 certification status on the internet site maintained by  
30 the department of public safety pursuant to section 80.45A,  
31 subsection 3.

32 4. In an emergency, an exception to subsection 2 may be  
33 granted by the administrative head or governing body in charge  
34 of the public employer.

35 5. This section applies to all public funds expended for a

1 purpose described in subsection 2 on or after January 1, 2022.

2 Sec. 2. Section 80.45, subsection 3, Code 2019, is amended  
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *0g.* (1) Consult with other governmental  
5 agencies and nongovernmental or community organizations that  
6 have expertise in the areas of human trafficking prevention,  
7 victim protection and assistance, law enforcement, and  
8 prosecution, and with an Iowa organization that represents  
9 lodging providers, to develop and facilitate the delivery of  
10 human trafficking prevention training for lodging providers  
11 pursuant to section 80.45A. The training shall focus on  
12 the accurate and prompt identification and reporting of,  
13 or response to, suspected human trafficking. The human  
14 trafficking prevention training shall include, at a minimum,  
15 all of the following:

16 (a) A general overview of human trafficking.

17 (b) A general overview of state law on human trafficking.

18 (c) The definition of human trafficking and the commercial  
19 exploitation of children.

20 (d) Guidance on the difference between labor trafficking  
21 and sex trafficking.

22 (e) Guidance on how to recognize potential human  
23 trafficking victims.

24 (f) Guidance on how to recognize potential human  
25 traffickers.

26 (g) Guidance on how to identify activities commonly  
27 associated with human trafficking.

28 (h) Safe and effective responses to human trafficking  
29 situations, including but not limited to how to report  
30 suspected human trafficking to proper law enforcement  
31 officials.

32 (2) In lieu of developing human trafficking prevention  
33 training, the office may utilize human trafficking prevention  
34 training developed by other sources that has been approved  
35 by the commissioner and that meets all of the criteria in

1 subparagraph (1).

2 (3) In lieu of facilitating the delivery of human  
3 trafficking prevention training developed pursuant to  
4 subparagraph (1) or (2), the office may utilize a governmental  
5 agency or a nongovernmental or community organization that has  
6 expertise in the area of human trafficking prevention training  
7 and that has been approved by the commissioner, to facilitate  
8 delivery of the training to lodging providers pursuant to  
9 section 80.45A. The entity that facilitates delivery of the  
10 training shall maintain training records for each of the  
11 lodging provider's employees, including all owners, operators,  
12 managers, and temporary employees. The training records must  
13 be available for inspection by the commissioner within ten  
14 business days of the commissioner's request to inspect the  
15 training records.

16 (4) The office, governmental agency, or nongovernmental  
17 or community organization that facilitates delivery of the  
18 training to lodging providers shall issue a certificate  
19 of completion of training to each employee, including each  
20 owner, operator, manager, and temporary employee, of a lodging  
21 provider that completes human trafficking prevention training  
22 pursuant to section 80.45A, subsection 4.

23 **Sec. 3. NEW SECTION. 80.45A Human trafficking prevention**  
24 **training — lodging providers.**

25 1. As used in this section, unless the context otherwise  
26 requires:

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

29 *b.* "Human trafficking" means the same as defined in section  
30 710A.1.

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

32 *d.* "Lodging provider" means the same as defined in section  
33 423A.2.

34 *e.* "Lodging provider's employee" means an individual who is  
35 employed by a lodging provider, including an owner, operator,

1 manager, and temporary employee.

2 *f. "Temporary employee"* means an individual who is employed  
3 by a temporary employment firm to provide services to a lodging  
4 provider to supplement the lodging provider's workforce during  
5 absences, seasonal workloads, temporary skill or labor market  
6 shortages, and for special assignments and projects.

7 *g. "Temporary employment firm"* means a person engaged in the  
8 business of employing temporary employees.

9 2. No later than December 31, 2021, the commissioner shall  
10 approve a program or programs for human trafficking prevention  
11 training and specify the approved mode or modes of delivery of  
12 the training to lodging providers pursuant to section 80.45,  
13 subsection 3, paragraph "0g".

14 3. No later than December 31, 2021, the commissioner shall  
15 develop all of the following to certify a lodging provider's  
16 voluntary completion of human trafficking prevention training:

17 *a.* A certification issued by the commissioner that a lodging  
18 provider may display, in an area readily visible to the public,  
19 in the following areas of all lodging owned, operated, or owned  
20 and operated by the lodging provider:

21 (1) The front entrance of the lodging.

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

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

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

28 *c.* A poster issued by the commissioner that can be  
29 downloaded from the department's internet site that shall  
30 be displayed in the front entrance and check-in area of all  
31 lodging owned, operated, or owned and operated by a certified  
32 lodging provider. The poster shall be written in English and  
33 Spanish, be a minimum of eight inches by eleven inches, and  
34 state all of the following in sixteen-point font:

35 [1] If you or someone you know is being forced to engage

1 in commercial sex or being forced to work with little or no  
2 pay and you cannot leave, contact the state human trafficking  
3 helpline or national human trafficking hotline for help.

4 [2] The helpline and hotline are:

5 [a] Anonymous and confidential.

6 [b] Toll-free.

7 [c] Available twenty-four hours a day, seven days a week.

8 [d] Operated by nonprofit, nongovernmental organizations.

9 [e] Able to provide help, referrals to services, training,  
10 and general information.

11 4. Beginning January 1, 2022, a lodging provider may  
12 voluntarily complete and certify to the commissioner that  
13 each of the lodging provider's employees have completed human  
14 trafficking prevention training. The lodging provider shall  
15 maintain training records for each of the lodging provider's  
16 employees pursuant to rules adopted by the commissioner.

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

20 6. The commissioner shall adopt rules pursuant to chapter  
21 17A as necessary to implement and administer this chapter.

22 EXPLANATION

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

25 This bill relates to human trafficking prevention training,  
26 the certification of lodging providers who have completed  
27 training, and prohibiting the use of public funds to procure  
28 lodging, facilities, or services only from noncertified lodging  
29 providers.

30 The bill requires the office to combat human trafficking  
31 (office) to consult with other governmental agencies and  
32 nongovernmental or community organizations that have expertise  
33 in the areas of human trafficking prevention, victims  
34 protection and assistance, law enforcement, and prosecution,  
35 and with an Iowa organization that represents lodging

1 providers, to develop and facilitate the delivery of human  
2 trafficking prevention training for lodging providers. A  
3 "lodging provider" is defined in the bill as meaning the same  
4 as defined in Code section 423A.2. The training shall focus  
5 on the accurate and prompt identification and reporting of, or  
6 response to, suspected human trafficking and is required to  
7 contain specific topics as detailed in the bill. In lieu of  
8 developing human trafficking prevention training, the office  
9 may utilize human trafficking prevention training developed  
10 by other sources, as detailed in the bill, that contain all  
11 of the topics as specified in the bill and as approved by the  
12 commissioner of the department of public safety (commissioner).  
13 In lieu of facilitating the delivery of human trafficking  
14 prevention training, the office may utilize other sources as  
15 detailed in the bill to facilitate delivery of the training.  
16 The entity that facilitates delivery of the training to a  
17 lodging provider is required to maintain training records for  
18 each of the lodging provider's employees. "Lodging provider's  
19 employee" is defined in the bill as an individual who is  
20 employed by a lodging provider, including an owner, operator,  
21 manager, and temporary employee. The training records must be  
22 available for inspection by the commissioner within 10 business  
23 days of the commissioner's request to inspect the training  
24 records. The entity that facilitates delivery of the training  
25 must issue a certificate of completion of training to each  
26 employee of a lodging provider that completes the training.

27 By no later than December 31, 2021, the bill requires the  
28 commissioner to approve a human trafficking prevention training  
29 program or programs that are developed for lodging providers  
30 and to specify the mode or modes of delivery of the training.  
31 The commissioner is also required to develop and maintain a  
32 process to show voluntary completion of the training by lodging  
33 providers. The process must include a certification that a  
34 lodging provider may display at the front entrance and check-in  
35 area of all lodging owned, operated, or owned and operated by

1 a lodging provider, and on any internet site advertising or  
2 promoting the lodging. The commissioner must also provide a  
3 poster that can be downloaded from the department's internet  
4 site that may be displayed in the front entrance and check-in  
5 area of all lodging owned, operated, or owned and operated by  
6 a certified lodging provider. The poster must be written in  
7 English and Spanish and contain the information as detailed  
8 in the bill. The commissioner is also required to create a  
9 publicly accessible internet site that identifies lodging  
10 providers that have completed the training. The internet site  
11 shall be maintained by the department of public safety.

12 Beginning January 1, 2022, a lodging provider may  
13 voluntarily complete and certify to the commissioner that  
14 each of the lodging provider's employees have completed the  
15 human trafficking prevention training. The lodging provider  
16 is required to maintain training records for each of the  
17 lodging provider's employees pursuant to rules adopted by the  
18 commissioner. A lodging provider's employee who acts in good  
19 faith is immune from civil liability for reporting suspected  
20 human trafficking activities to any law enforcement official.

21 The commissioner shall adopt rules as necessary to implement  
22 and administer the requirements of the human trafficking  
23 prevention training for lodging providers.

24 Effective on or after January 1, 2022, a public employee  
25 and a public employer are prohibited from using public funds  
26 to procure lodging at a site owned, operated, or owned and  
27 operated by a lodging provider that is not certified as having  
28 completed human trafficking prevention training. In addition,  
29 a public employee and a public employer are prohibited  
30 from using public funds to procure space or services for a  
31 conference, meeting, or banquet, or to host a conference,  
32 meeting, or banquet, at a site that offers lodging that is  
33 owned, operated, or owned and operated by a lodging provider  
34 that is not certified as having completed human trafficking  
35 prevention training. In an emergency, an exception may be

1 granted by the administrative head or governing body in charge  
2 of the public employer. Prior to expending or committing  
3 public funds for lodging, space, or services, a public employer  
4 or a public employee shall confirm a lodging provider's current  
5 certification status on the internet site maintained by the  
6 department of public safety.

7 The bill defines a "public employee" as an individual  
8 employed by a public employer and a "public employer" as the  
9 state of Iowa, its boards, commissions, agencies, departments,  
10 and its political subdivisions including school districts and  
11 other special purpose districts. "Public funds" is defined in  
12 the bill as meaning the same as defined in Code section 12C.1.