

80.45A Human trafficking prevention training — lodging providers.

1. As used in [this section](#), unless the context otherwise requires:

- a. “*Commissioner*” means the commissioner of public safety or the commissioner’s designee.
- b. “*Human trafficking*” means the same as defined in [section 710A.1](#).
- c. “*Lodging*” means the same as defined in [section 423A.2](#).
- d. “*Lodging provider*” means the same as defined in [section 423A.2](#).
- e. “*Lodging provider’s employee*” means an individual who is employed by a lodging provider, including an owner, operator, manager, and temporary employee.
- f. “*Public employee*” means an individual employed by a public employer.
- g. “*Public employer*” means the same as defined in [section 20.3](#).
- h. “*Public funds*” means the same as defined in [section 12C.1](#).
- i. “*Temporary employee*” means an individual who is employed by a temporary employment firm to provide services to a lodging provider to supplement the lodging provider’s workforce during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.
- j. “*Temporary employment firm*” means a person engaged in the business of employing temporary employees.

2. *Human trafficking prevention training.*

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

b. The human trafficking prevention training may be developed and delivered to lodging providers by the office to combat human trafficking, a governmental agency, or nongovernmental or community organization that has expertise in the area of human trafficking. The human trafficking prevention training must be approved by the commissioner.

c. A lodging provider shall maintain training records for each of the lodging provider’s employees pursuant to rules adopted by the commissioner.

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

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

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

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

- (1) The front entrance of the lodging.
- (2) The check-in area of the lodging.
- (3) Any internet site advertising or promoting the lodging.

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

5. *Certification for utilization of public funds.*

a. Prior to expending or committing public funds for a purpose described in paragraph “c”, a public employer or a public employee shall confirm a lodging provider’s current certification status on the internet site maintained by the department pursuant to [subsection 4](#), paragraph “b”.

b. A certification issued pursuant to [subsection 4](#), paragraph “a” shall be valid for three years from the date the commissioner issues the certification to a lodging provider.

c. If a lodging provider is not certified as having completed human trafficking prevention training pursuant to [subsection 4](#), paragraph “a”, a public employer and a public employee shall not use public funds for any of the following purposes:

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

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

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

d. [This section](#) applies to all public funds expended for a purpose described in paragraph “c” on or after January 1, 2022.

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

7. *Rules.* The commissioner shall adopt rules pursuant to [chapter 17A](#) as necessary to implement and administer [this chapter](#).

[2020 Acts, ch 1112, §1](#); [2021 Acts, ch 76, §14](#)

Subsection 1, paragraph a amended