

1 HB432
2 204682-2
3 By Representatives Mooney, Treadaway, Rowe, Pettus, Whorton,
4 Ball, Hanes, Wheeler, Boyd, Wingo, Holmes and Alexander
5 RFD: Public Safety and Homeland Security
6 First Read: 10-MAR-20

SYNOPSIS: This bill would require public lodging establishments to provide human trafficking awareness training for all employees and would require human trafficking awareness signs to be posted at public lodging establishments.

This bill would also provide for a limitation of liability for reports of human trafficking and for establishments in compliance with this bill. This bill would be enforced by the Attorney General, including the assessment of civil fines.

A BILL
TO BE ENTITLED
AN ACT

Relating to public lodging establishments; to require human trafficking awareness training for all employees; to require human trafficking awareness signs to be posted at the establishments; to provide for a limitation of

1 liability for reports of human trafficking and for
2 establishments in compliance with this act; and to provide for
3 the enforcement by the Attorney General, including the
4 assessment of civil fines.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Every operator of a public lodging
7 establishment shall provide human trafficking awareness
8 training to each employee of the establishment. Every employee
9 shall receive the training within 180 days of employment or
10 within 180 days of the effective date of this act. For
11 purposes of this act, the term "public lodging establishment"
12 means an establishment that is subject to the lodging tax
13 pursuant to Chapter 26 of Title 40, Code of Alabama 1975.

14 Section 2. (a) Human trafficking awareness training
15 shall include, but is not limited to, the following:

16 (1) The definition of human trafficking and
17 commercial exploitation of children.

18 (2) Guidance on how to identify individuals at risk
19 for trafficking.

20 (3) Guidance on how to identify the signs of
21 trafficking and individuals potentially engaged in
22 trafficking.

23 (4) Differences between labor and sex trafficking
24 specific to public lodging establishments.

25 (5) Guidance on the role of employees in public
26 lodging establishments in reporting and responding to human
27 trafficking issues.

1 (6) The contact information for the National Human
2 Trafficking Hotline toll-free number and text line or contact
3 information for the local law enforcement agency having
4 primary jurisdiction in the area.

5 (b) Any person who owns or operates a public lodging
6 establishment within the state shall annually certify to the
7 Alabama Department of Public Health no later than December 31
8 of each year that all employees employed by the public lodging
9 establishment more than 180 days have completed the training
10 required by this section.

11 Section 3. By October 1, 2020, every operator of a
12 public lodging establishment shall post human trafficking
13 awareness signage in a location conspicuous to employees,
14 printed in an easily legible font in English and any other
15 language spoken by more than 10 percent of the employees.
16 Lodging establishments with no employees shall post the
17 signage in a location that is conspicuous to anyone in the
18 establishment.

19 Section 4. (a) By October 1, 2020, every operator of
20 a public lodging establishment shall implement procedures for
21 the reporting of suspected human trafficking to the National
22 Human Trafficking Hotline or to local law enforcement and
23 shall implement a human trafficking prevention policy which
24 shall apply to all employees.

25 (b) Any person who, in good faith, reports suspected
26 human trafficking is immune from liability for making the
27 report.

1 Section 5. An owner, operator, or employee of a
2 public lodging establishment who complies in good faith with
3 this act shall not be liable for any act or omission arising
4 out of or related to human trafficking committed by a third
5 party unless the owner or an operator or employee of the
6 public lodging establishment knowingly assists in the
7 commission of human trafficking.

8 Section 6. (a) The Alabama Department of Public
9 Health shall maintain a list which shall be available to other
10 state agencies of public lodging establishments that
11 determined to be out of compliance with this act. The
12 department shall provide a public lodging establishment 90
13 days to cure any violation of this act prior to inclusion on
14 the out-of-compliance list. If a public lodging establishment
15 fails to cure this violation within the 90 days, the
16 department shall notify the Attorney General's Office of the
17 violation.

18 (b) For the purpose of making payments for lodging
19 expenses, all state agencies shall ensure that, to the extent
20 practicable, any commercial lodging room nights for employees
21 of state agencies are booked in a public lodging establishment
22 that is in compliance with this act.

23 (c) The Attorney General shall adopt a rule
24 establishing a schedule of civil fines for violation of this
25 act and may assess fines and collect any fines assessed for
26 violations of this act. All fines collected for violations of
27 this act shall be deposited in a fund established by the

1 Alabama Human Trafficking Task Force and are continuously
2 appropriated to the task force to carry out the purposes of
3 this act and to increase awareness of human trafficking in
4 this state.

5 Section 7. This act shall become effective on
6 October 1, 2020, following its passage and approval by the
7 Governor, or its otherwise becoming law.