

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1507

Introduced by

Representatives Buffalo, Heinert, C. Johnson, Jones, Magrum, Satrom, Schneider

Senators Hogan, Kannianen, Luick, Marcellais, Myrdal

1 A BILL for an Act to create and enact section 54-12-33.1 of the North Dakota Century Code,
2 relating to human trafficking prevention training; and to provide a ~~penalty~~continuing
3 appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Section 54-12-33.1 of the North Dakota Century Code is created and enacted
6 as follows:

7 **54-12-33.1. Human trafficking prevention training - Exemptions - Immunity -**
8 **Enforcement**~~Continuing appropriation.~~

9 1. As used in this section:

10 a. "Human trafficking" means human trafficking as defined in chapter 12.1-41.

11 b. "Human trafficking commission" means the commission established under
12 section 54-12-33.

13 c. "Lodging establishment" means any hotel, motel, resort, building, or structure that
14 is used to provide sleeping accommodations to transient guests.

15 d. "Proprietor" means the person in charge of a lodging establishment and includes
16 an owner, lessee, and manager.

17 2. Within ninety days of the effective date of this Act, the human trafficking commission
18 shall establish an educational training program with a focus on the accurate and
19 prompt identification and reporting of, or response to, suspected human trafficking. To
20 the extent possible, the human trafficking commission shall allow the use of existing
21 training modules and materials. The training must include:

22 a. Human trafficking awareness;

23 b. How to recognize potential victims of human trafficking;

24 c. How to identify activities commonly associated with human trafficking; and

- 1 d. Effective responses to human trafficking situations, including how to report
2 suspected human trafficking to law enforcement.
- 3 3. A proprietor ~~shall ensure~~ may:
- 4 a. Provide each onsite employee ~~receives~~ with the training described in subsection 2
5 within ninety days of the date of hire or within one hundred twenty days of the
6 effective date of this Act, whichever is later, and annually thereafter. A proprietor
7 shall:
- 8 a.b. In an employee roster or in each employee's personnel file, annually certify each
9 employee has received the training approved by the human trafficking
10 commission.
- 11 b.c. Conduct an ongoing awareness campaign for employees which addresses the
12 information described in subsection 2.
- 13 4. A proprietor ~~shall~~ may post and maintain a poster approved and provided by the
14 human trafficking commission which contains the information described in subsection
15 2 in a place readily accessible to each onsite employee. The poster must include the
16 contact information for an organization that provides assistance and support services
17 to human trafficking victims. The poster may be visibly displayed at the lodging
18 establishment's check-in area, lobby, or transient guest services.
- 19 5. The training requirements provided in this section do not apply to an employee who:
- 20 a. Is under sixteen years of age, unless the employee cleans guest rooms;
21 b. Works exclusively in a food establishment; or
22 c. Does not have direct contact with transient guests or guest rooms.
- 23 ~~6.~~ The human trafficking commission shall provide to a proprietor, the contact information
24 for an organization that provides assistance and support services to human trafficking
25 victims. A proprietor shall make the contact information available to transient guests or
26 display the contact information at the lodging establishment's check-in area, lobby, or
27 transient guest services.
- 28 ~~7.~~ A proprietor or employee of a lodging establishment who acts in good faith is immune
29 from liability in any civil action for reporting suspected human trafficking activities.
- 30 ~~8.~~ a. If a proprietor fails to comply with this section, the human trafficking commission
31 shall provide written notice to the proprietor of the failure to provide the required

1 ~~prevention training and give the proprietor ninety days to comply with the~~
2 ~~requirements of this section.~~

3 ~~b. A proprietor that violates this section after receiving notice from the human~~
4 ~~trafficking commission of the violation and has been given ninety days to correct~~
5 ~~the violation, is guilty of a class B misdemeanor.~~

6 ~~c. A state's attorney may prosecute any violation of this section.~~

7 6. The human trafficking commission may seek, apply for, accept, and receive any
8 donation, gift, grant, or bequest offered or tendered from public or private sources for
9 the purpose of furthering the objectives of the human trafficking prevention training
10 and incentivizing proprietors to participate in the human trafficking prevention training.
11 All moneys received or accepted under this subsection are appropriated on a
12 continuing basis to the human trafficking commission.