

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1308

Introduced by

Representatives Satrom, Brandenburg, Schneider, Ostlie

Senators Clemens, Conley

1 A BILL for an Act to amend and reenact sections 54-12-33 and 54-12-33.1 of the North Dakota
2 Century Code, relating to duties of the human trafficking commission and immunity for reporting
3 human trafficking; and to provide a continuing appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 54-12-33 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-12-33. Human trafficking commission.**

8 1. The attorney general ~~may~~shall establish a human trafficking commission, comprised of
9 designees from state, local, and tribal agencies which have contact with victims or
10 perpetrators, nongovernmental organizations that represent or work with victims, and
11 other organizations and individuals, including victims, whose expertise would benefit
12 the commission. The attorney general may establish the commission by appointing an
13 existing statewide coalition.

14 2. The commission shall:

15 a. Collect and evaluate data on human trafficking in this state and submit an annual
16 report to the attorney general, governor, and legislative assembly;

17 b. Promote awareness and provide information to education personnel and the
18 general public about human trafficking, victim remedies and services, and
19 trafficking prevention;

20 c. Promote training on human trafficking prevention and victim services for state
21 and local employees and members of regulated occupations and professions
22 who may have recurring contact with victims or perpetrators;

23 d. Promote training on human trafficking investigation and prosecution and on
24 missing and murdered indigenous people with the North Dakota state's attorney's

- 1 association, the North Dakota peace officers standards and training board, and
- 2 state and local law enforcement agencies;
- 3 e. Present annually regarding human trafficking awareness and prevention at
- 4 professional development conferences directed toward teachers, administrators,
- 5 and support staff which are hosted by educational organizations in this state or by
- 6 the department of public instruction; and
- 7 f. Conduct other appropriate activities.

8 **SECTION 2. AMENDMENT.** Section 54-12-33.1 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **54-12-33.1. Human trafficking prevention training - Exemptions - Immunity -**
11 **Continuing appropriation.**

- 12 1. As used in this section:
 - 13 a. "Human trafficking" means human trafficking as defined in chapter 12.1-41.
 - 14 b. "Human trafficking commission" means the commission established under
 - 15 section 54-12-33.
 - 16 c. "Lodging establishment" means any hotel, motel, resort, building, or structure that
 - 17 is used to provide sleeping accommodations to transient guests.
 - 18 d. "Proprietor" means the person in charge of a lodging establishment and includes
 - 19 an owner, lessee, and manager.
 - 20 e. "Regulated occupation or profession" includes a profession regulated by the
 - 21 education standards and practices board, an occupation or profession regulated
 - 22 under title 43, and an attorney licensed to practice law in this state.
- 23 2. ~~Within ninety days of the effective date of this section, the~~The human trafficking
24 commission shall establish an educational training program with a focus on the
25 accurate and prompt identification and reporting of, or response to, suspected human
26 trafficking. To the extent possible, the human trafficking commission shall allow the use
27 of existing training modules and materials. The training must include:
 - 28 a. Human trafficking awareness;
 - 29 b. How to recognize potential victims of human trafficking;
 - 30 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 may:
- 4 a. Provide each onsite employee with the training described in subsection 2.
- 5 b. In an employee roster or in each employee's personnel file, annually certify each
6 employee has received the training approved by the human trafficking
7 commission.
- 8 c. Conduct an ongoing awareness campaign for employees which addresses the
9 information described in subsection 2.
- 10 4. A proprietor may post and maintain a poster approved and provided by the human
11 trafficking commission which contains the information described in subsection 2. The
12 poster must include the contact information for an organization that provides
13 assistance and support services to human trafficking victims. The poster may be
14 visibly displayed at the lodging establishment's check-in area, lobby, or transient guest
15 services.
- 16 5. An entity that regulates an occupation or profession may accept the training described
17 in subsection 2 for continuing education credit.
- 18 6. A proprietor or employee of a lodging establishment or a member of a regulated
19 occupation or profession who acts in good faith is immune from liability in any civil
20 action for reporting suspected human trafficking activities but a member of a regulated
21 occupation or profession may be subject to disciplinary action for the reporting if the
22 reporting violates an applicable ethics regulation imposed by the member's regulated
23 occupation or profession.
- 24 6-7. The human trafficking commission may seek, apply for, accept, and receive any
25 donation, gift, grant, or bequest offered or tendered from public or private sources for
26 the purpose of furthering the objectives of the human trafficking prevention training
27 and incentivizing proprietors and members of a regulated occupation or profession to
28 participate in the human trafficking prevention training. All moneys received or
29 accepted under this subsection are appropriated on a continuing basis to the human
30 trafficking commission.