

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1308

Introduced by

Representatives Satrom, Brandenburg, Schneider, Ostlie

Senators Clemens, Conley

In place of the amendment (25.0012.01001) adopted by the Senate, House Bill No. 1308 is amended by amendment (25.0012.01003) as follows:

- 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~~In addition to the attorney general designees, the
14 commission must include:
15 a. A legislator from the majority party, appointed by the chairman of the legislative
16 management;
17 b. A legislator from the minority party, appointed by the chairman of the legislative
18 management;

- 1 c. An individual from the department of health and human services child and family
2 services division, appointed by the commissioner of the department of health and
3 human services;
- 4 d. An individual representing a rural school district, appointed by the superintendent
5 of public instruction;
- 6 e. An individual representing one of the state's largest ten school districts,
7 appointed by the superintendent of public instruction;
- 8 f. An individual from the North Dakota state's attorneys' association, appointed by
9 the executive director of the North Dakota state's attorneys' association; and
- 10 g. An individual from the governor's office, appointed by the governor.
- 11 2. The attorney general or the attorney general's designee shall serve as the presiding
12 officer of the commission.
- 13 3. The commission shall:
- 14 a. Collect and evaluate data on human trafficking in this state and submit an annual
15 report to the attorney general, governor, and legislative assembly;
- 16 b. Promote awareness and provide information to education personnel and the
17 general public about human trafficking, victim remedies and services, and
18 trafficking prevention;
- 19 c. Promote training on human trafficking prevention and victim services for state
20 and local employees and members of regulated occupations and professions
21 who may have recurring contact with victims or perpetrators;
- 22 d. Promote training on human trafficking investigation and prosecution and on
23 missing and murdered indigenous people with the North Dakota state's attorney's
24 association, the North Dakota peace officers standards and training board, and
25 state and local law enforcement agencies;
- 26 e. Present annually regarding human trafficking awareness and prevention at
27 professional development conferences directed toward teachers, administrators,
28 and support staff which are hosted by educational organizations in this state or by
29 the department of public instruction; ~~and~~

- 1 f. Provide annual prevention and awareness education on human trafficking and
2 exploitation for students in grades six and ten in tribal, public, and nonpublic
3 schools; and
4 g. Conduct other appropriate activities.

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

7 **54-12-33.1. Human trafficking prevention training - Exemptions - Immunity -**
8 **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 e. "Regulated occupation or profession" includes a profession regulated by the
18 education standards and practices board, an occupation or profession regulated
19 under title 43, and an attorney licensed to practice law in this state.

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

25 a. Human trafficking awareness;

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

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

28 d. Effective responses to human trafficking situations, including how to report
29 suspected human trafficking to law enforcement.

30 3. A proprietor may:

31 a. Provide each onsite employee with the training described in subsection 2.

- 1 b. In an employee roster or in each employee's personnel file, annually certify each
2 employee has received the training approved by the human trafficking
3 commission.
- 4 c. Conduct an ongoing awareness campaign for employees which addresses the
5 information described in subsection 2.
- 6 4. A proprietor may post and maintain a poster approved and provided by the human
7 trafficking commission which contains the information described in subsection 2. The
8 poster must include the contact information for an organization that provides
9 assistance and support services to human trafficking victims. The poster may be
10 visibly displayed at the lodging establishment's check-in area, lobby, or transient guest
11 services.
- 12 5. An entity that regulates an occupation or profession may accept the training described
13 in subsection 2 for continuing education credit.
- 14 6. A proprietor or employee of a lodging establishment or a member of a regulated
15 occupation or profession who acts in good faith is immune from liability in any civil
16 action for reporting suspected human trafficking activities but a member of a regulated
17 occupation or profession may be subject to disciplinary action for the reporting if the
18 reporting violates an applicable ethics regulation imposed by the member's regulated
19 occupation or profession.
- 20 ~~6-7.~~ The human trafficking commission may seek, apply for, accept, and receive any
21 donation, gift, grant, or bequest offered or tendered from public or private sources for
22 the purpose of furthering the objectives of the human trafficking prevention training
23 and incentivizing proprietors and members of a regulated occupation or profession to
24 participate in the human trafficking prevention training. All moneys received or
25 accepted under this subsection are appropriated on a continuing basis to the human
26 trafficking commission.