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UNPACKING

HUMAN TRAFFICKING

VOL. 3

**A Survey of Laws in the United States Targeting
Human Trafficking in the Hospitality Industry**





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Unpacking Human Trafficking is a summary of the laws in the United States relating to the display of human trafficking awareness posters in lodging facilities, the requirement that employees be trained to recognize and handle suspected incidents of human trafficking, and if hotels are civilly and/or criminally liable. Studies have shown that a large percentage of human trafficking, particularly sex trafficking, occurs in hotels, motels, and other places of public lodging.

Author

Karen Wigle Weiss

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Unpacking Human Trafficking Vol.3

The following is an update to Unpacking Human Trafficking Vols. 1 and 2, launched in May 2019 and January 2020, respectively, of the laws of the 50 states relating to the display of human trafficking awareness posters in lodging facilities, the training requirements for hospitality industry employees concerning the recognition and handling of suspected incidents of human trafficking, and the laws addressing the criminal and civil liability of lodging facilities for incidents of human trafficking that occur on their property.

This report, Unpacking Human Trafficking Vols 3, is an update and expansion of the two previous reports. It covers laws as of October 2020 and is more comprehensive than ever. We have expanded the criminal liability section to include laws that potentially subject hotels to criminal liability. These laws impose criminal liability on a person that (1) harbors human trafficking activities; (2) financially benefits from human trafficking activities; or (3) permits owned premise to be used for prostitution, including prostitution associated with human trafficking activities. The legal definition of a “person” can include corporation, business, company, enterprise, or partnership, so hotels are potentially exposed to liability under these provisions.

As an increasing number of jurisdictions have become engaged with this issue, we have seen more states, territories, counties, cities, and municipalities adopt ordinances related to these concerns. It is especially noteworthy that cities are increasingly assuming a leadership role on this issue, particularly where statewide legislation does not currently exist.

Posters that comply with the various laws as well as additional resources for hospitality brands, management companies, and properties are available on ECPAT-USA’s website at www.ecpatusa.org/hotel, as well as **a free anti-trafficking training for hotel associates** that was developed with the American Hotel & Lodging Association (AHLA) and Marriott International. For states that do not have a human trafficking awareness signage requirement, ECPAT-USA’s Standard Hotel Poster can be utilized. Additionally, we have noted the jurisdictions in which the local government has created posters, trainings, and other resources companies can utilize in their anti-trafficking work.

Disclaimer: This publication is provided for reference only and does not constitute legal advice.

Chart of Laws Concerning Human Trafficking Awareness Signage in Lodging Facilities

JURISDICTIONS	MANDATORY SIGNAGE	VOLUNTARY SIGNAGE	MANDATORY FOR NUISANCE ¹	MANDATORY TEXT ²
Alabama			✓	✓
Alaska				
Arizona				
Arkansas			✓	✓
California	✓			✓
Colorado				
Connecticut	✓			✓
Delaware			✓	✓
Florida	✓			✓
Georgia	✓			✓
Hawaii	✓ ³			
Idaho				
Illinois	✓			✓
Indiana				
Iowa				
Kansas		✓		
Kentucky				
Louisiana	✓			✓
Maine	✓			
Maryland			✓	✓
Massachusetts		✓		
Michigan		✓	✓	✓
Minnesota	✓			✓
Mississippi				
Missouri			✓	✓

¹This category refers to laws that limit the mandate to establishments that have been found to constitute a nuisance under the jurisdiction's law due to prostitution or other illegal activity on the premises.

²This category refers to laws that mandate the exact language that appears on the posters.

³The mandate is applicable to facilities that hold liquor licenses.

JURISDICTIONS	MANDATORY SIGNAGE	VOLUNTARY SIGNAGE	MANDATORY FOR NUISANCE ¹	MANDATORY TEXT ²
Montana		✓		✓
Nebraska		✓		
Nevada				
New Hampshire				
New Jersey	✓ ⁴	✓		✓
New Mexico	✓			✓
New York	✓ ⁵	✓		✓
North Carolina	✓ ⁶	✓		✓
North Dakota				
Ohio		✓		✓
Oklahoma				
Oregon				
Pennsylvania			✓	✓
Rhode Island			✓	
South Carolina	✓			✓
South Dakota				
Tennessee		✓		✓
Texas	✓ ⁷			✓
Utah				
Vermont		✓		✓
Virginia				
Washington		✓		
West Virginia	✓			✓
Wisconsin		✓		✓
Wyoming				

⁴ Back-of-house information sheets in areas accessible to employees are mandatory, while posters in public areas are voluntary.

⁵ Information cards are mandatory, while posters are voluntary.

⁶ The mandate is applicable to lodging facilities that hold liquor licenses.

⁷ The mandate is applicable to facilities that hold liquor licenses.

JURISDICTIONS	MANDATORY SIGNAGE	VOLUNTARY SIGNAGE	MANDATORY FOR NUISANCE ¹	MANDATORY TEXT ²
Guam		✓		
Puerto Rico				
Washington, D.C.				
Albert Lea, MN				
Anchorage, AK	✓			✓
Baltimore, MD	✓			✓
Chicago, IL		✓		
Fulton County, GA	✓			
Hapeville, GA	✓			
Houston, TX	✓			
Jacksonville, FL	✓			
Lancaster, CA				
Long Beach, CA			✓	
Los Angeles, CA				
Miami Beach, FL	✓			
Miami Lakes, FL	✓			
Minneapolis, MN				
New Orleans, LA				
Phoenix, AZ		✓		
Prince George’s County, MD				
Pueblo of Laguna, NM				
San Diego, CA				
Tucson, AZ				

Chart of Elements of Laws Mandating Human Trafficking Awareness Signage

JURISDICTIONS	REQUIRED LANGUAGES SPECIFIED ¹	REQUIRED FONT SIZE SPECIFIED	MINIMUM POSTER SIZE SPECIFIED	PENALTY FOR FAILURE	SPECIFIC POSTERS REQUIRED ²
Alabama (Nuisance Only) ³	ENG, SPA	No	At Least 8½ x 11”	Warning/ \$50 fine	Yes
Arkansas (Nuisance Only)	ENG, SPA	No	At Least 8½ x 11”	Warning/ \$500 fine	Yes
California	ENG, SPA	At least 16pts	At Least 8½ x 11”	\$500/ \$1,000 fine	No
Connecticut	No	No	No	\$100/ \$250 fine	Yes
Delaware (Nuisance Only)	No	No	No	\$300 fine	Yes
Florida	ENG, SPA	At least 32pts	At Least 11”x 15”	\$200 per day	No (but identical text required)
Georgia	ENG, SPA	At least 16pts	At Least 8½ x 11”	\$500/ \$5,000 fine	No
Hawaii	ENG	No	At Least 8½ x 11”	\$100 fine	No
Illinois	ENG, SPA	At least 16pts	At Least 8½ x 11”	\$500 fine	No
Louisiana	ENG, SPA, LA FRA	At least 14pts in bold	At Least 8½ x 11”	\$50 – 2,500 fine	No
Maine	No	No	No	\$300 fine	Yes
Maryland (Nuisance Only)	ENG, SPA	No, but bold type	At Least 3” x 5”	\$1,000 fine	No (but identical text required)

¹In addition to the languages listed here, many laws require posters in more languages as determined by the Federal Voting Rights Act (AR., CA., MD., MO., PA.), Commissioner of Labor (AL.), the Human Trafficking Interagency Coordinating Council (DE.), any other language predominately spoken in the area as determined by the Dept. of Business and Professional Regulation (FL.), Bureau of Investigations (GA.), Dept. of Public Safety and Corrections (LA.), Attorney General or Dept. of Licensing and Regulatory Affairs (MI.), Division of Justice and Community Services (WV.), and any language used by ten percent or more of the employees or facility users (NM).

²Some jurisdictions have directed various agencies to design posters and make them available to businesses on their websites for use on a voluntary basis. Some go a step further and mandate that the businesses use the posters designed by the agencies. Those mandated uses are indicated here.

³In some jurisdictions, human trafficking awareness posters are only mandated if the establishment has been declared a “nuisance” as that term is defined under the applicable law.

JURISDICTIONS	REQUIRED LANGUAGES SPECIFIED ¹	REQUIRED FONT SIZE SPECIFIED ¹	MINIMUM POSTER SIZE SPECIFIED ¹	PENALTY FOR FAILURE	SPECIFIC POSTERS REQUIRED ²
Michigan (Nuisance Only)	ENG, SPA	At least 14pts	At Least 8½ x 11"	\$250/\$500 fine	No
Minnesota	No	No	No	No	Approval required
Missouri (Nuisance Only)	ENG, SPA	No	At Least 8½ x 11"	Warning/Infraction	Yes
New Jersey (Back of House)	No ⁴	No	No	Impact on License	Yes
New Mexico (If Subject to Min. Wage Act)	ENG, SPA	No	At Least 8½ x 11"	No	No
New York (Information Cards)	No	No	No	No	No
North Carolina (If Licensed to Sell Alcohol)	No	No	No	Permit Revocation/ Fine	Yes
Pennsylvania (Nuisance Only)	ENG, SPA	No	At Least 8½ x 11"	\$100/\$500 fine	No
Rhode Island (Nuisance Only)	No	No	No	\$300 fine	No
South Carolina	ENG, SPA	At Least 16pts	At Least 8½ x 11"	Warning/\$50 fine	Yes

⁴ Posters available in English and Spanish

JURISDICTIONS	REQUIRED LANGUAGES SPECIFIED ¹	REQUIRED FONT SIZE SPECIFIED ¹	MINIMUM POSTER SIZE SPECIFIED ¹	PENALTY FOR FAILURE	SPECIFIC POSTERS REQUIRED ²
Texas (If Licensed to Sell Alcohol)	ENG, SPA	No	At Least 8½ x 11"	No	No
West Virginia	ENG, SPA	No	No	Warning/ \$250 – 500 fine	No
Anchorage, AK	Five most common languages	No	At Least 8½ x 11"	\$100 fine	No (but specific text required)
Baltimore, MD	ENG, SPA	No	At Least 3" x 5"	Up to \$1,000 fine	No
Fulton County, GA	ENG, SPA	None	None	\$500 fine	No
Hapeville, GA	ENG, SPA	None	None	\$500 fine	No
Houston, TX	ENG, SPA	None	None	None	No
Jacksonville,FL	ENG, SPA	At least 12 pts	At least 3" x 7"	None	No
Miami Beach, FL	ENG, SPA	None	None	Up to \$500 fine	No
Miami Lakes, FL	ENG, SPA	None	None	Up to \$500 fine	No

Chart of Training, Civil and Criminal Liability Laws By State

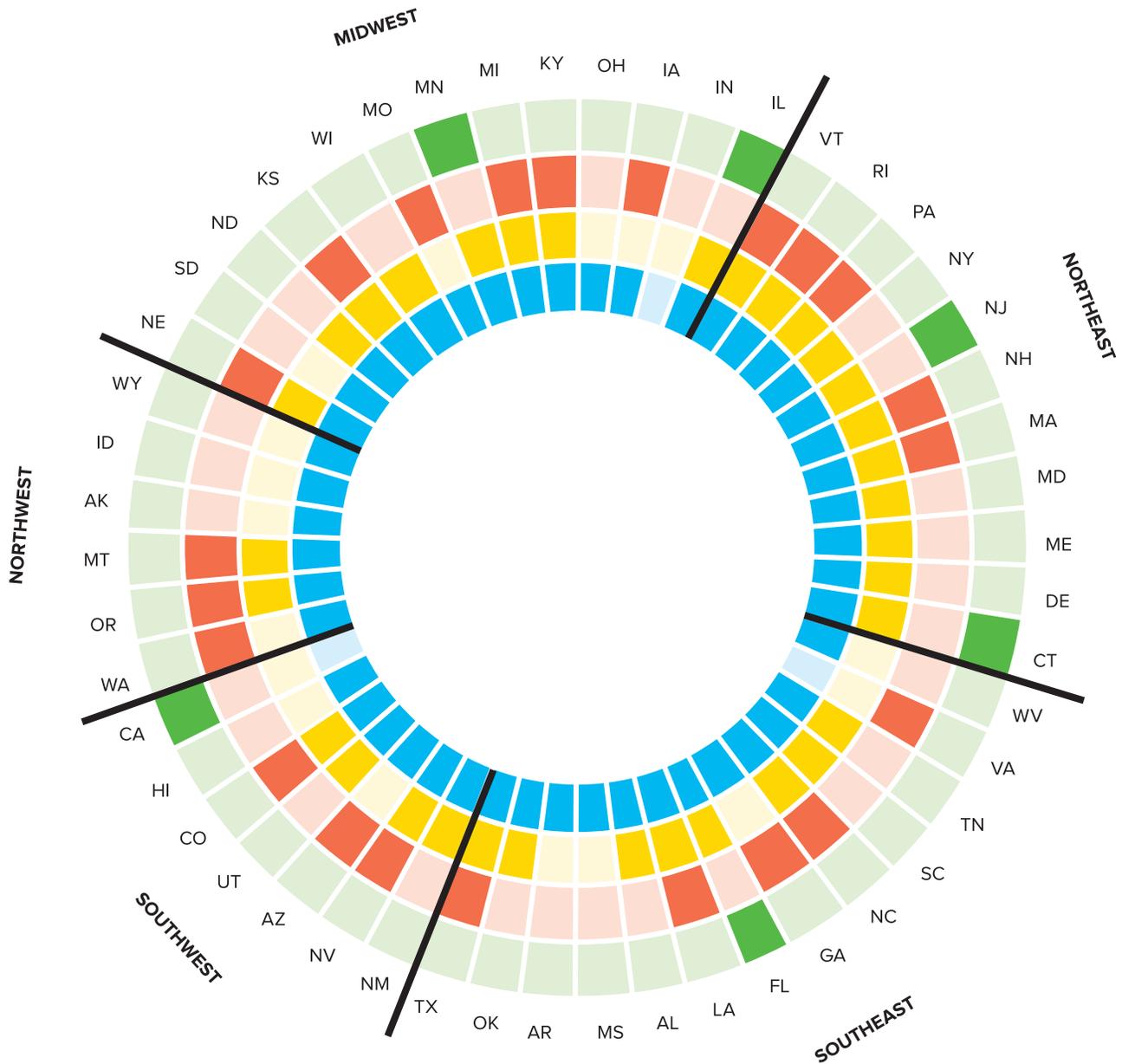
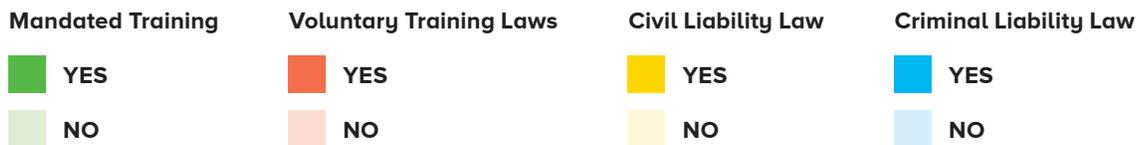


Chart of Training, Civil and Criminal Liability Laws By Jurisdiction



Signage, Training, Civil and Criminal Liability Laws Explained By State And Jurisdiction

ALABAMA

Signage Law

Alabama requires any hotel cited as a nuisance¹ to post a human trafficking awareness poster that meets the following requirements:

- (a) The poster must be at least 8½ x 11 inches in size;²
- (b) The poster should be posted in a location(s) where it is clearly visible to the public, including the entrance of the hotel and any location where posters and notices are customarily posted;³
- (c) Hotels subject to this provision must print the posters from the website of The Alcoholic Beverage Control Board, The Public Service Commission, or the Department of Labor or ask that the poster created by one of those agencies be mailed for the cost of printing and first class postage;⁴
- (d) The posters must be printed in English, Spanish and any other languages deemed appropriate by the Commissioner of Labor;
- (e) The poster must state the following:⁵
If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services.

- (1) Victims of human trafficking are protected under U.S. law.
- (2) The Toll-free Hotline is:
 - a. Available 24 hours a day, 7 days a week.
 - b. Operated by a nonprofit, non-governmental organization.
 - c. Anonymous and confidential.
 - d. Accessible in 170 languages.
 - e. Able to provide help, referral to services, training, and general information.

Hotels that fail to post a sign in accordance with these specifications are subject to a warning on the first violation and a fine not to exceed \$50 for each subsequent violation.⁶

Training Law

Alabama does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability Law

Certain aspects of Alabama criminal laws prohibiting human trafficking may apply to hotels, as a “person” (including a corporation)⁷. Hotels could potentially be found guilty of human trafficking in the first degree for knowingly harboring, holding, or maintaining any minor for the purpose of causing the minor to engage in sexual servitude.⁸

ALABAMA, continued

Further, Alabama criminalizes human trafficking in the second degree conduct including: (i) knowingly benefitting financially from participating in a venture or engagement for the purpose of sexual servitude or labor servitude and (ii) knowingly harboring, holding, or maintaining another person for the purpose of labor servitude or sexual servitude. A corporation may be prosecuted for a human trafficking offense if (1) an agent of the corporation or entity performs the conduct which is an element of the crime while acting within the scope of their employment and on behalf of the corporation or entity, and (2) the commission of the crime was either authorized, requested, commanded, performed, or within the scope of the person's employment on behalf of the corporation or entity or constituted a pattern of conduct that an agent of the corporation or entity knew or should have known was occurring.⁹

The penalties for human trafficking include a fine of up to \$60,000 (for human trafficking in the first degree), a fine of up to \$30,000 (for human trafficking in the second degree), or any amount not exceeding double the pecuniary gain to the defendant or loss to the victim caused by the

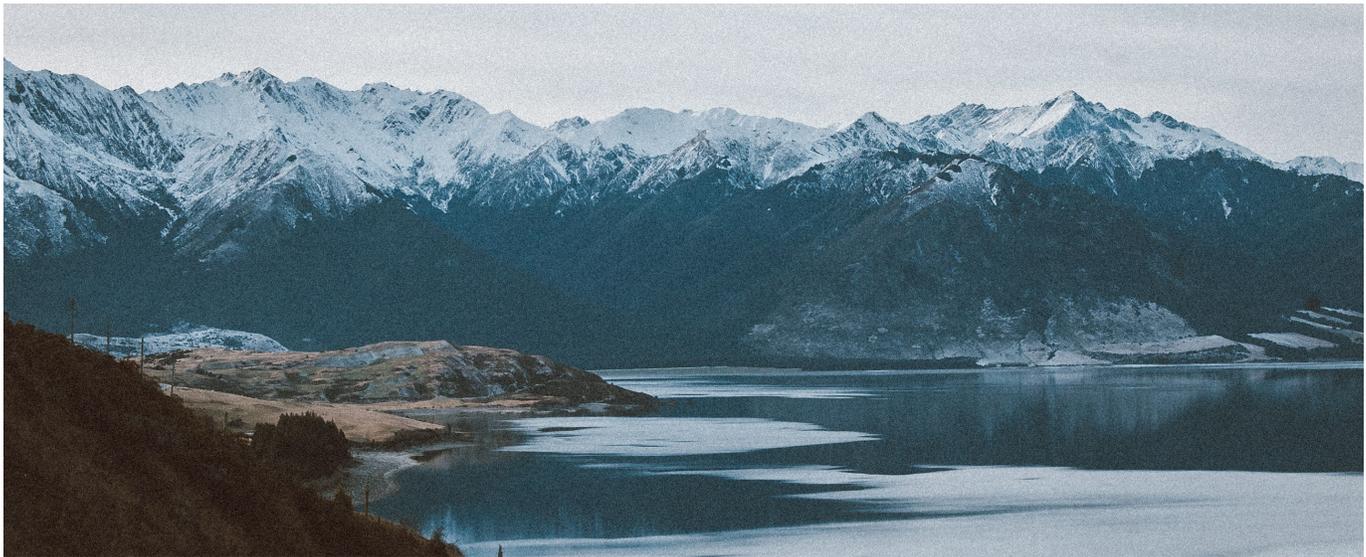
commission of the offense (in respect of either crime).¹⁰ Any profits or proceeds and any interest in property acquired or maintained as a result of committing human trafficking shall be forfeited to the State of Alabama for the purpose of paying restitution to trafficking victims.¹¹

Civil Liability Law

Under state law, the Alabama Attorney General is permitted to bring an action in the name of the state seeking a temporary restraining order or injunction against any person or corporation that they have reason to believe has engaged or is about to engage in human trafficking.¹² Further, the Attorney General may bring a civil action to recover actual damages for victims of acts or practices performed in violation of the state human trafficking law.¹³

Alabama law also allows a victim of human trafficking to bring a civil action in state court.¹⁴ The Alabama Supreme Court has suggested that a hotel could be liable in a civil context if the plaintiffs presented substantial evidence that the agent of a hotel could foresee that criminal human trafficking acts would occur in their hotel.¹⁵

ALASKA



Signage Law

Alaska does not currently have a statewide law requiring human trafficking awareness posters in hotels.

Training Law

Alaska does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Certain aspects of Alaska's laws criminalizing human trafficking may apply to hotels. For example, a "person"¹⁶ (which includes a business) commits the crime of human trafficking in the second degree if the person obtains a benefit from the commission of human trafficking, with reckless disregard that the benefit is a result of the trafficking.¹⁷ Human trafficking in the second degree is punishable by a fine not exceeding \$100,000.¹⁸

A person commits the crime of sex trafficking in the third degree if the person receives compensation for prostitution services rendered by another; and with the intent to promote prostitution, manages, supervises, controls, or owns, either alone or in association with others, a place of prostitution or engages in conduct that institutes, aids, or facilitates a prostitution enterprise.¹⁹

Proposed legislation would create a new crime, human trafficking in the third degree, which would prohibit providing "services, resources, or other assistance," which includes providing "business services" or "lodging" in furtherance of human trafficking in the first or second degree.²⁰

Civil Liability

Alaska does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

ANCHORAGE, ALASKA

Signage Law

The City of Anchorage requires hotels and motels to display human trafficking awareness posters that meet the following requirements:²¹

1. The posters must be at least 8½ x 11 inches in size;
2. The poster should be posted in a clearly visible location to employees;
3. The poster should be printed in the five most commonly spoken languages of the municipality.
4. The poster must state substantially the following:

If you or someone you know is being forced to engage in an activity and cannot leave — whether it is prostitution, housework, restaurant work, janitorial work, factory work, retail work, or any other activity— call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. The hotline is available 24 hours a day, 7 days a week, toll-free, anonymous and confidential, and accessible in 170 languages. You may also call the Anchorage Police Department at 786-8900 or the local FBI office at 276-4441 for assistance. Victims of slavery and human trafficking are protected under United States and Alaska law. Posted pursuant to AO 2016-115(S).

Lodging establishments will be fined \$100 for each week that they fail to display the required sign.²²



ARIZONA

Signage Law

Arizona does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Arizona does not currently have a law that requires training employees of lodging facilities about human trafficking. However, the existence of a voluntary training program for hotel employees can act as a mitigating factor in the event of a conviction for human trafficking at a lodging facility (see Criminal Liability below).

The Arizona Attorney General's office, in conjunction with the Arizona Anti-Trafficking Network, has launched a voluntary and free training program for hospitality staff at hotels on how to identify, report, and prevent sex trafficking. Hotels can access the free online training or request in-person training at www.safeactionproject.org.

Criminal Liability

It is a crime for a "person" (which includes an "enterprise"²³) to engage in human trafficking, which includes knowingly harboring a person with the knowledge that (i) they will be subject to forced labor services; (ii) they will engage in prostitution or sexually explicit performance by deception, coercion or force; or (iii) the enterprise will benefit financially from a human trafficking offense.²⁴ Each of these instances of human trafficking is classified as a felony and enterprises face a maximum fine of \$1,000,000 for such felony offenses.²⁵

For dangerous and repeat enterprise offenders, the court may impose a fine of up to \$5,000,000.²⁶ However, the fine can be reduced by 25% if the court finds by a preponderance of the evidence that the enterprise had in effect, at the time of the offense, an "effective program to prevent and detect violations of law."²⁷ The law defines the minimum qualification of an "effective program" as including (i) established compliance standards and procedures to be followed by employees and agents that are reasonably capable of reducing the chances of violations of law; (ii) the assignment of a high-level personnel to oversee compliance; (iii) the use of due care to not delegate authority to individuals whom the enterprise knows, or should know, have a propensity to engage in illegal activities; (iv) steps are taken to communicate the standards and procedures to employees and agents, including requiring participation in training programs; (v) reasonable steps are taken to achieve compliance with the standards, including systems designed to detect violations of law; (vi) consistent enforcement of the standards through the use of reasonable disciplinary mechanisms; and (vii) after a violation is detected, reasonable responsive steps are taken to prevent further violations. The statute also lists several circumstances under which an enterprise would not be entitled to the 25% reduction of the fine, including the involvement of management in the violation, delay in reporting the offense, and obstruction of the investigation.²⁸

Civil Liability

Arizona does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

PHOENIX, ARIZONA

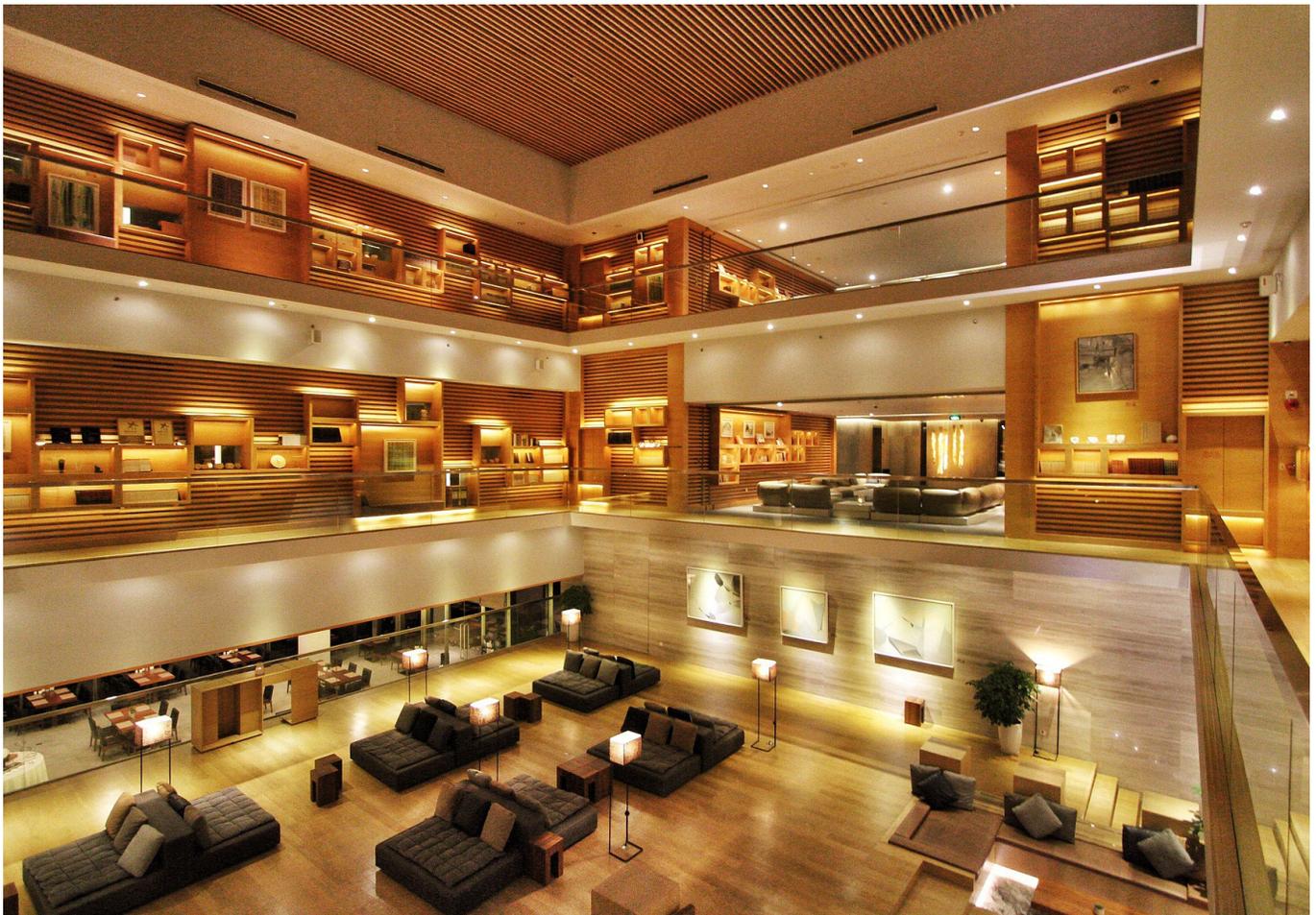
Signage and Training Ordinance

Phoenix does not have an ordinance requiring the posting of human trafficking notices. However, the Phoenix Human Trafficking Task Force has created a free notice available for voluntary posting and free training resources.²⁹ Arizona Attorney General's Office and Homeland Security Investigations–Phoenix have also partnered with the SAFE Action Project, a program that provides free training to the travel, hospitality, and tourism industry.³⁰

TUCSON, ARIZONA

Training Ordinance

Tucson does not currently have an ordinance addressing the issue of training employees of lodging facilities concerning human trafficking. However, the Southern Arizona Anti-Trafficking Unified Response Network has free and voluntary training resources available on its website.³¹



ARKANSAS

Signage Law

Arkansas requires that any hotel, motel, or other establishment cited as a public nuisance³² must post signage that meets the following requirements:

1. The posters must be at least 8½ x 11 inches.
2. The posters must be displayed in a conspicuous location near the entrance of the establishment or where notices and posters are customarily posted.³³
3. The posters must be printed in English, Spanish, and any other language mandated by the federal Voting Rights Act.³⁴
4. The poster must state the following:³⁵
If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. Victims of human trafficking are protected under United States and Arkansas state law.

The Hotline is:

- Available 24 hours a day, 7 days a week
- Toll-free
- Operated by a non-profit, non-governmental organization
- Anonymous and confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information.

Business owners may print copies of the poster from the websites of the Alcoholic Beverage Control Board, the Department of Labor and Licensing, or the Department of Transportation. Alternatively, business owners may request copies of the poster by mail from one of the aforementioned agencies but will be responsible for the cost of printing and first-class postage.³⁶ If the regulatory agency finds that a hotel or motel has failed to post the required information the owner or operator will initially receive a warning, but any additional violation will result in a fine not exceeding \$500 (which does not apply to establishments owned or operated by the State of Arkansas).³⁷

ARKANSAS, continued

Training Law

Arkansas does not require that lodging facilities provide their employees with training related to human trafficking.

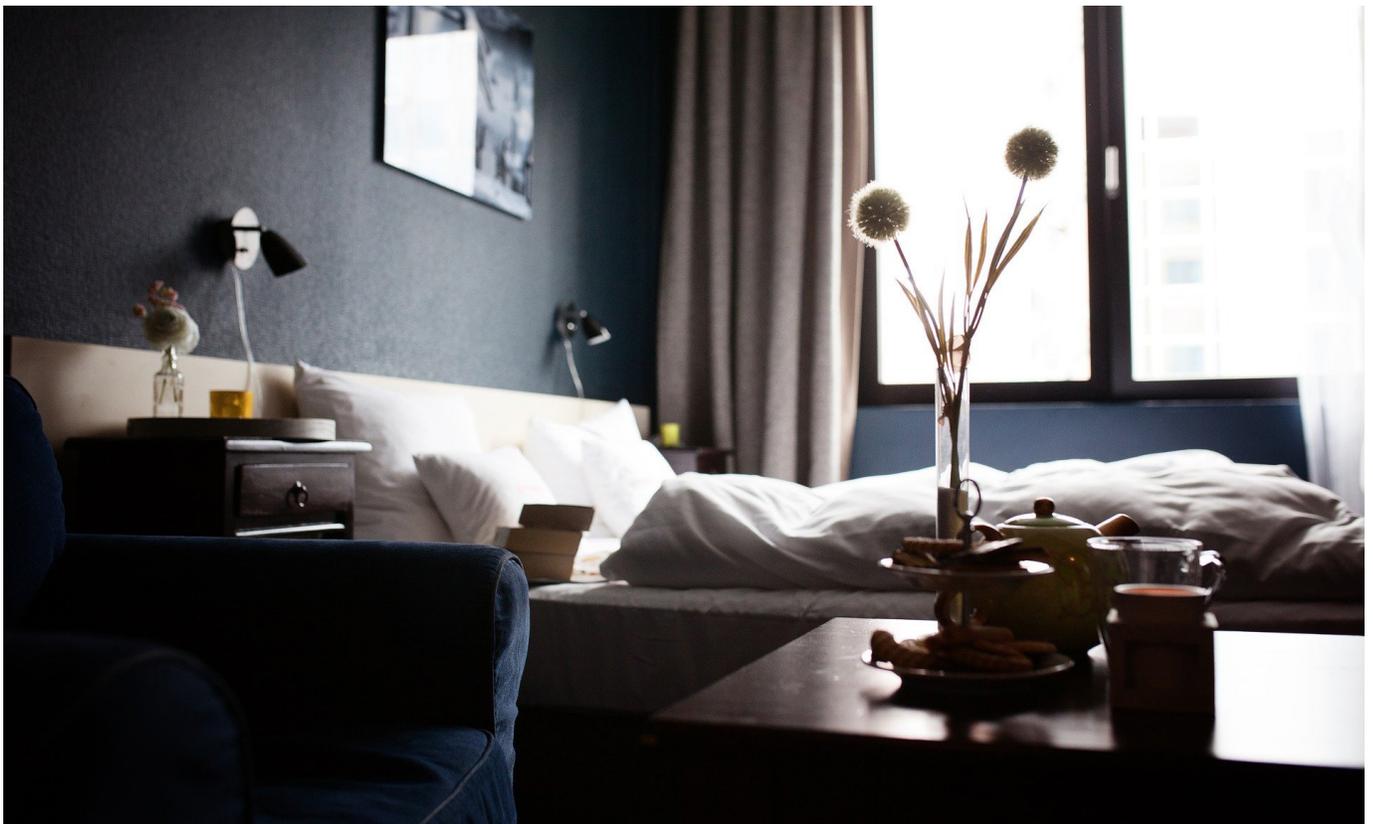
Criminal Law

It is a crime for a “person,” (including an “organization”)³⁸ to engage in the trafficking of persons.³⁹ A person or organization engages in human trafficking by knowingly (i) harboring or maintaining a person knowing that the person will be subjected to involuntary servitude; (ii) harboring or maintaining a minor for commercial sexual activity, or (iii) benefitting financially from any such ventures.⁴⁰ In Arkansas, the trafficking of an adult

is a Class A felony, for which the maximum fine is \$15,000.⁴¹ The trafficking of an individual who is a minor at the time of the offense is a Class Y felony, for which the maximum fine is unspecified.⁴² In addition to a fine, a convicted organization may be subject to any combination of the following: (1) a suspension or revocation of a license or permit; (2) a court order to dissolve or reorganize; (3) other relief as is equitable.⁴³

Civil Law

Arkansas does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



CALIFORNIA

Signage Law

California requires all hotels, motels, and bed and breakfast inns⁴⁴ to post notices concerning slavery and human trafficking that meets the following requirements:

1. The notices must be at least 8½ x 11 inches.
2. The notice should be printed in no smaller than 16 point font.
3. The notice should be printed in English, Spanish, and one additional language that is widely spoken in the county where the lodging establishment is located and for which translation is required by the federal Voting Rights Act.⁴⁵
4. The notice must be displayed in a conspicuous manner near the entrance or other location where they are in clear view to the public and employees.⁴⁶
5. The notice must state as follows:⁴⁷
If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any activity – text 233-733 (Be Free) or call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 or the California Coalition to Abolish Slavery and Trafficking (CAST) at 1-888-KEY-2-Fre(EDOM) or 1-888-539-2373 to access help and services.

Victims of slavery and human trafficking are protected under United States and California law.

The hotlines are:

- Available 24 hours a day, 7 days a week.
- Toll-free.
- Operated by nonprofit, nongovernmental organizations.
- Anonymous and confidential.
- Accessible in more than 160 languages.
- Able to provide help, referral to services, training, and general information.

Failure to comply with this law can result in a civil penalty of \$500 for the first violation and \$1,000 for each subsequent violation.⁴⁸

Training Law

On or before January 1, 2021, California hotels, motels, and bed and breakfast inns are required to provide at least 20 minutes of human trafficking awareness training to new and existing employees who may interact or come into contact with victims of human trafficking or may receive a report from another employee about suspected human trafficking.⁴⁹

The law specifies that the training must include: (i) the definition of human trafficking, including sex trafficking and labor trafficking, (ii) myths and misconceptions about human trafficking; (iii) physical and mental signs to be aware of that may indicate that human trafficking is occurring, (iv) guidance on how to identify individuals who are most at risk for human trafficking, (v) guidance on

CALIFORNIA, continued

how to report human trafficking, including, but not limited to, national hotlines (1-888-373-7888 and text line 233733) and contact information for local law enforcement agencies that an employee may use to make a confidential report and (vi) protocols for reporting human trafficking when on the job. An employee's failure to report an incident of human trafficking is not, by itself, a basis for a finding of liability.⁵⁰

Criminal Liability

Under the California Penal Code, real property “used to facilitate” a human trafficking offense may be designated as a nuisance, which shall be enjoined, abated, and prevented, and in respect of which damages may be imposed.⁵¹ If real property is “put to substantial use for the purpose of facilitating the crime of human trafficking that involves a commercial sex act where the victim was less than 18 years of age”, the property may be seized and ordered to be forfeited.⁵²

Civil Liability

California does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



LANCASTER, CALIFORNIA

Criminal Liability

The Lancaster Municipal Code provides that “every owner, operator, manager and/or employee shall be responsible for preventing the use of the motel for human trafficking” and must notify the designated authorities⁵³ if they suspect human trafficking.⁵⁴ The Lancaster local ordinance: (i) provides that it may be an unlawful public nuisance to directly or indirectly maintain or permit the use of a motel for human trafficking or sex trafficking;⁵⁵ (ii) prohibits renting a room on an hourly basis or more than once within a calendar day;⁵⁶ (iii) and imposes strict registration requirements for the purpose of verifying the identity of motel guests.⁵⁷ Violation of the relevant Lancaster ordinances constitutes a misdemeanor, in respect of which a maximum fine of \$1,000 may be imposed, and a motel at which the city council finds an unlawful public nuisance connected with human trafficking has occurred may be designated a “nuisance motel” and be subject to abatement.⁵⁸

LONG BEACH, CALIFORNIA

Signage Law

Long Beach requires that a motel deemed a nuisance⁵⁹ must place human trafficking awareness postings in order to retain its business license.⁶⁰ The law does not require any specifications for the postings.

LOS ANGELES, CALIFORNIA

Training Law

Los Angeles does not currently have an ordinance addressing the issue of training employees of lodging facilities concerning human trafficking, however. However, the hotel association of Los Angeles offers free human trafficking training to its members.⁶¹

SAN DIEGO, CALIFORNIA

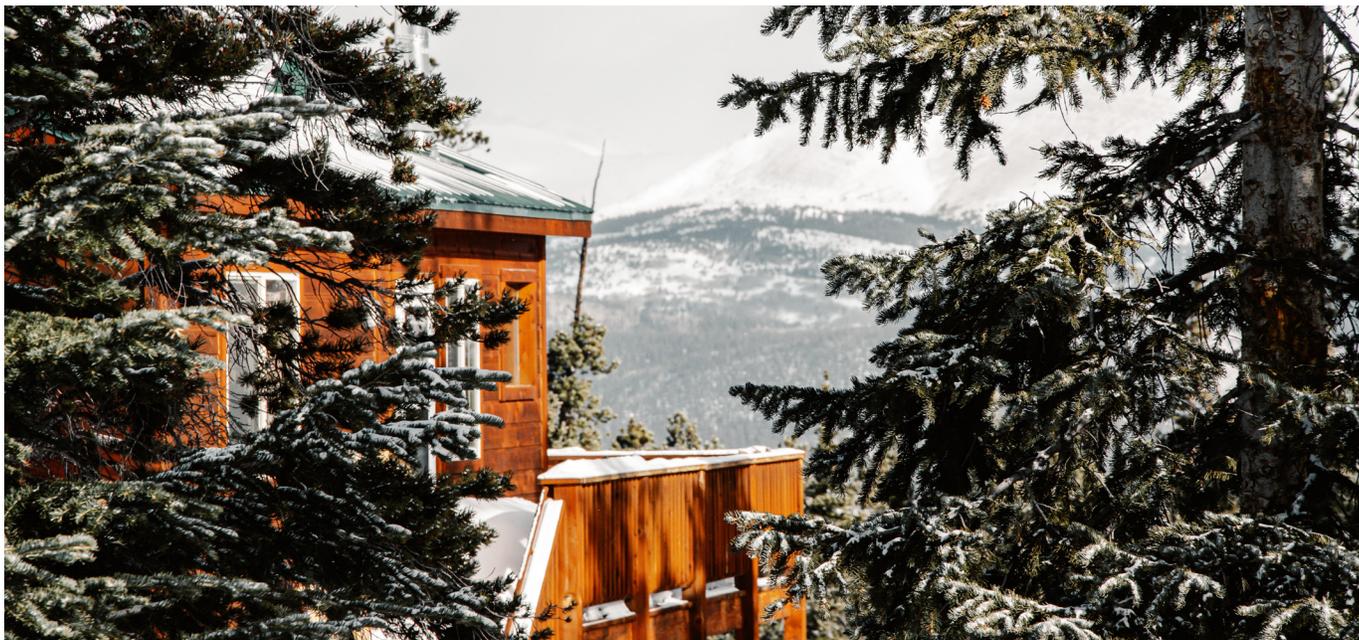
Signage Law

San Diego does not currently have an ordinance concerning human trafficking awareness signage in lodging facilities. However, the San Diego City Human Relations Commission initiated a countywide effort to implement section 52.6 of the California Civil Code, which requires the posting of certain information about human trafficking and the human trafficking hotline at required establishments.⁶²

Training Law

San Diego does not currently have an ordinance addressing the issue of training employees of lodging facilities concerning human trafficking. However, training staff on the content and requirements of the human trafficking awareness posting is highly recommended.⁶³

COLORADO



Signage Law

Colorado does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Colorado does not currently have a law that requires training employees of lodging facilities about human trafficking. Colorado does, however, have a statutorily proscribed human trafficking council, which is tasked with the development of, among other things, training standards and curricula for individuals who work in places where human trafficking victims are likely to appear.⁶⁴ Absent further action, the statute providing for the council is scheduled to be repealed on September 1, 2024.⁶⁵ Prior to repeal, the Department of Regulatory Agencies will review the council.⁶⁶

Criminal Liability

It is a crime for a “person,” including a corporation,⁶⁷ to engage in the trafficking of persons. These acts include but are not limited to: knowingly harboring, transferring, or isolating another person for the purpose of coercing the person to engage in a commercial sex act.⁶⁸ Human trafficking is generally a Class 3 felony, the penalty for which is \$3,000 – \$750,000, or a Class 2 felony if the victim is a minor, for which the penalty is \$5,000 – \$1,000,000.⁶⁹

Civil Liability

A victim of human trafficking can recover damages proximately caused by any person who commits human trafficking as defined in the above criminal liability provisions.⁷⁰ A criminal conviction is not a condition precedent to maintaining a civil action.⁷¹

CONNECTICUT

Signage Law

Connecticut requires an operator of a hotel, motel, inn, or similar lodging to post a notice concerning services available to victims of human trafficking in accordance with the following:⁷²

1. The notice should indicate that any person who is forced to engage in any activity and who cannot leave may contact a state or federal anti-trafficking hotline, and must include the toll-free telephone numbers for such hotlines.⁷³
2. The notice should be posted in plain view.
3. The law does not specify the exact text or size requirements for the posters.
4. The Office of the Chief Court Administrator shall develop this notice and distribute it to persons who are required to post such notices.⁷⁴

The penalty for any operator that fails to comply with this law is a fine of \$100 for a first violation and \$250 for any subsequent violation.⁷⁵

Training law

Connecticut law provides “[t]he operator of each hotel, motel, inn or similar lodging shall ensure that each employee... receive training at the time of hire on the (1) recognition of potential victims of human trafficking, and (2) activities commonly associated with human trafficking.”⁷⁶ The statute tasks the Commissioner of Children and Families and the Commissioner of Emergency Services and Public

Protection with recommending a human trafficking training program in conjunction with the state and national hotel and lodging associations.⁷⁷

Lodging establishment operators must also conduct ongoing awareness campaigns for employees on the activities commonly associated with human trafficking.⁷⁸ Operators of lodging facilities were required to certify by October 17, 2017, and annually thereafter that every employee has received the required training and to keep such records in the employee’s personnel file.⁷⁹

Criminal Liability Law

Connecticut law classifies “sex trafficking” as the “recruitment, harboring, transportation or provision of a person for the purpose of engaging in sexual conduct with another person for a fee.”⁸⁰ Sex trafficking is a Class A felony,⁸¹ which carries a maximum fine of \$20,000.⁸²

Civil Liability Law

Any person aggrieved by the above criminal actions may bring a civil action against the person or persons who committed such violation to recover actual damages, statutory damages of not more than one thousand dollars for each day such person was coerced by another person and a reasonable attorney’s fee.⁸³

DELAWARE

Signage Law

Delaware requires certain locations⁸⁴ designated by the Human Trafficking Interagency Coordinating Council to display a public-awareness sign in accordance with the following:

1. The Human Trafficking Interagency Coordinating Council is required to create a sign that contains both the state and National Human Trafficking Resource Centers' hotline information.⁸⁵
2. Be displayed in a place that is clearly conspicuous and visible to employees.

The penalty for an employer who knowingly fails to comply with this law is \$300 per violation.⁸⁶

Training Law

Delaware does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

An organization is criminally liable for sex trafficking if the organization knowingly harbored or enticed forced labor or sexual servitude,⁸⁷ and (1) the board of directors or a high managerial agent acting within his or her scope of employment engaged in, authorized, solicited, requested, commanded, or recklessly tolerated that conduct, or (2) an agent of the organization engaged in that conduct while acting within the scope of his or her employment.⁸⁸ Forced labor or human trafficking are both Class C felonies unless the victim is a minor, in which case both are Class B felonies.

In addition to the penalties otherwise associated with violations of the Human Trafficking Statute, a court may consider the severity of an organization's violation of the Human Trafficking Statute and order any of the following: (a) a fine of not more than \$25,000 per offense; (b) disgorgement of profit from illegal activity in violation of this section; and (c) debarment from state and local government contracts.⁸⁹

Civil Liability

Delaware permits human trafficking victims to bring civil actions against individuals that violate the criminal sex trafficking law detailed above.⁹⁰ An organization can be held liable for a violation of the statute if (a) the conduct constituting a violation of the statute is engaged in, authorized, solicited, requested, commanded, or recklessly tolerated by the board of directors or by a high managerial agent acting within the scope of his or her employment and in behalf of the organization; or (b) the conduct constituting a violation of the statute is engaged in by an agent of the organization while acting within the scope of employment and in behalf of the organization.⁹¹

In a civil suit, a victim may make a claim for compensatory damages, punitive damages, injunctive relief, or any other appropriate relief.⁹² A victim may also recover reasonable attorneys' fees and costs, including reasonable fees for expert witnesses.⁹³ The victim must commence the civil action no later than five (5) years after the later of the date on which the victim: (a) was freed from the human trafficking situation; or (b) attained 18 years of age.⁹⁴

FLORIDA

Signage Law

Florida requires public lodging establishments to post a human trafficking public awareness sign that meets the following requirements:

- (a) The sign must be at least 11 x 15 inches in size;
- (b) The sign must be printed in an easily legible font, in at least 32-point type;
- (c) The sign should be posted in a conspicuous location that is accessible to employees;
- (d) The sign must be in English and Spanish and any other language predominantly spoken in the area which the Department of Business and Professional Regulation deems appropriate;
- (e) The sign must state the following:

“If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity, call the National Human Trafficking Resource Center at 888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”⁹⁵

Public lodging establishments must comply with the above-stated signage requirements by January 1, 2021.⁹⁶ Failure to comply will result in a fine of \$2,000 per day unless the lodging establishment provides adequate written documentation demonstrating that each deficiency will be corrected within ninety days of receiving a notice of violation.⁹⁷

Training Law

Florida requires public lodging establishments to provide annual training regarding human trafficking awareness to employees (a) who perform housekeeping duties in rental units or (b) who work at a front desk or reception area where guests ordinarily check-in or check out.⁹⁸

New employees must receive this training within 60 days of their first day in that role.⁹⁹ Each employee must submit a signed and dated acknowledgment of having received the training, which may be kept electronically, but must be provided to the Department of Business and Professional Regulation upon request.¹⁰⁰ Additionally, by January 1, 2021, each public lodging establishment must implement a procedure for the reporting of suspected human trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.¹⁰¹

The required human trafficking awareness training must be submitted to and approved by the Department of Business and Professional Regulation, and must include all of the following:

- (a) The definition of human trafficking and the difference between sex trafficking and labor trafficking;
- (b) Guidance specific to the public lodging sector concerning how to identify individuals who may be victims of human trafficking;
- (c) Guidance concerning the role of the employees of a public lodging establishment in reporting and responding to suspected human trafficking.¹⁰²

FLORIDA, continued



Failure to comply will result in a fine of \$2,000 per day unless the lodging establishment adequately documents that each deficiency was corrected within ninety days of receiving a notice of violation.¹⁰³

Criminal Liability

Florida defines “human trafficking” as “transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person.”¹⁰⁴ Further, corporations can be criminally liable for knowingly or in reckless disregard of the facts “benefitting financially by receiving anything of value from participation in a venture that has subjected a person to human trafficking.”¹⁰⁵

In Florida, the trafficking or forced labor of an adult or a minor is a felony in the first degree.¹⁰⁶ The maximum fine for such an offense is \$10,000.¹⁰⁷ Additionally, any property used in violation of a human trafficking offense may be seized and forfeited.¹⁰⁸

Civil Liability

Any person who has been injured due to sex trafficking or human trafficking shall have a cause of action for threefold the amount gained from the sex trafficking or human trafficking and in any such action is entitled to minimum damages in the amount of \$200 and reasonable attorney’s fees and court costs in the trial and appellate courts.¹⁰⁹

JACKSONVILLE, FLORIDA

Signage Ordinance

Jacksonville requires public lodging establishments to place human trafficking awareness signs that meet the following requirements:

- (a) The sign should be placed in a conspicuous location that is clearly visible to the public and employees of the establishment.¹¹⁰
- (b) The signs must be placed on the inside of the main access door of all guest rooms and public restrooms.¹¹¹
- (c) The signs in guest rooms and public restrooms must be at least 3 x 7 inches, be printed in 12-point font, and must substantially state the following in English and Spanish:¹¹²
“If you or someone you know is being forced to engage in an activity and cannot leave—whether it is prostitution or sex work, housework, farm work, factory work, retail work, restaurant work, or any other activity—call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law. This notice is posted pursuant to Section 250.125, Jacksonville Ordinance Code.”

Training Ordinance

Jacksonville’s human trafficking ordinance requires all public lodging establishments to train all employees on spotting, reporting, and preventing human trafficking.¹¹³ The manager or owner must certify to the Director of the Neighborhoods Department on a quarterly basis the names of all employees who have received the required training and identify the name of the program used for the training. The acceptable training literature and programs include those developed and presented by the American Hotel & Lodging Association, the Polaris Project, ECPAT-USA, Business Ending Slavery & Trafficking, and the U.S. Department of Homeland Security. Other programs not listed may be approved by the Director of the Neighborhoods Department.¹¹⁴

Violations of this ordinance are considered a Class C offense, with each day and each separate violation of the requirement constituting a separate and enforceable violation.¹¹⁵

MIAMI BEACH, FLORIDA

Signage Ordinance

Miami Beach requires public lodging establishments¹¹⁶ to post human trafficking notices that meet the following requirements:

- (a) The notices should be posted in a place where they are clearly visible to the employees.¹¹⁷
- (b) The notices must be printed in English and Spanish.
- (c) The notices must state the following:¹¹⁸
 “If you or someone you know is being forced to engage in an activity and cannot leave - whether it is prostitution, housework, farm work, factory work, retail work, restaurant work or any other activity - call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.”

A violation of this ordinance is punishable by a maximum fine of \$500, and a continued violation shall be considered a separate offense for each day.¹¹⁹

MIAMI LAKES, FLORIDA

Signage Ordinance

Miami Lakes law requires public lodging establishments¹²⁰ to post human trafficking notices that meet the following requirements:

- (a) The notice should be posted in a place where they are clearly visible to their employees;¹²¹
- (b) The notice must be printed in English and Spanish;
- (c) The notice should state the following:¹²²
 “If you or someone you know is being forced to engage in an activity and cannot leave - whether it is prostitution, housework, farm work, factory work, retail work, restaurant work or any other activity - call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.”

A violation of this ordinance is punishable by a maximum fine of \$500, and a continued violation shall be considered a separate offense for each day.¹²³

GEORGIA

Signage Law

Georgia mandates that hotels, inns, and other establishments that offer overnight accommodations to the public post a notice that meets the following requirements:

- (a) The notice should provide information on how to contact the National Human Trafficking Hotline and the Statewide Georgia Hotline for Domestic Minor Trafficking.¹²⁴
- (b) Notices must be displayed in every public restroom and near the public entrance or in another location in clear view of the public and employees where notices are customarily posted.¹²⁵
- (c) The notices must be in English, Spanish and any other language deemed appropriate by the Georgia Bureau of Investigations.
- (d) The notices must also be at least 8½ x 11 inches and printed in not less than 16-point font.¹²⁶
- (e) Georgia law requires the Georgia Bureau of Investigation to develop a model notice available for download from its website.¹²⁷ In line with this requirement, the Georgia Bureau of Investigation has developed a model notice that reads as follows:¹²⁸
Are you or someone you know being sold for sex or made/forced to work for little or no pay and cannot leave? Call the National Human Trafficking Resource Center at 1-888-373-7888 or the Statewide Georgia Hotline for Domestic Minor Trafficking at 1-844-842-3678 for help. All victims of slavery and human trafficking have rights and are protected by international, federal, and state law.

The hotline is:

- (1) Anonymous and confidential;
- (2) Available 24 hours a day, seven days a week;
- (3) Able to provide help, referral to services, training, and general information;
- (4) Accessible in 170 languages;
- (5) Operated by a nonprofit, non-governmental organization; and
- (6) Toll free.

Failure to comply with this statute, following a 30-day period after receipt of a notice to correct a violation, constitutes a misdemeanor and can result in a fine of up to \$500. Upon a second or subsequent conviction, the offense is elevated to an aggravated misdemeanor subjecting the lodging owner to a fine of up to \$5,000.¹²⁹

Training Law

Georgia does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Georgians for Refuge, Action, Compassion, and Education Commission offers free and voluntary training materials for employees in Georgia and the general public.¹³⁰

GEORGIA, continued

Criminal Liability

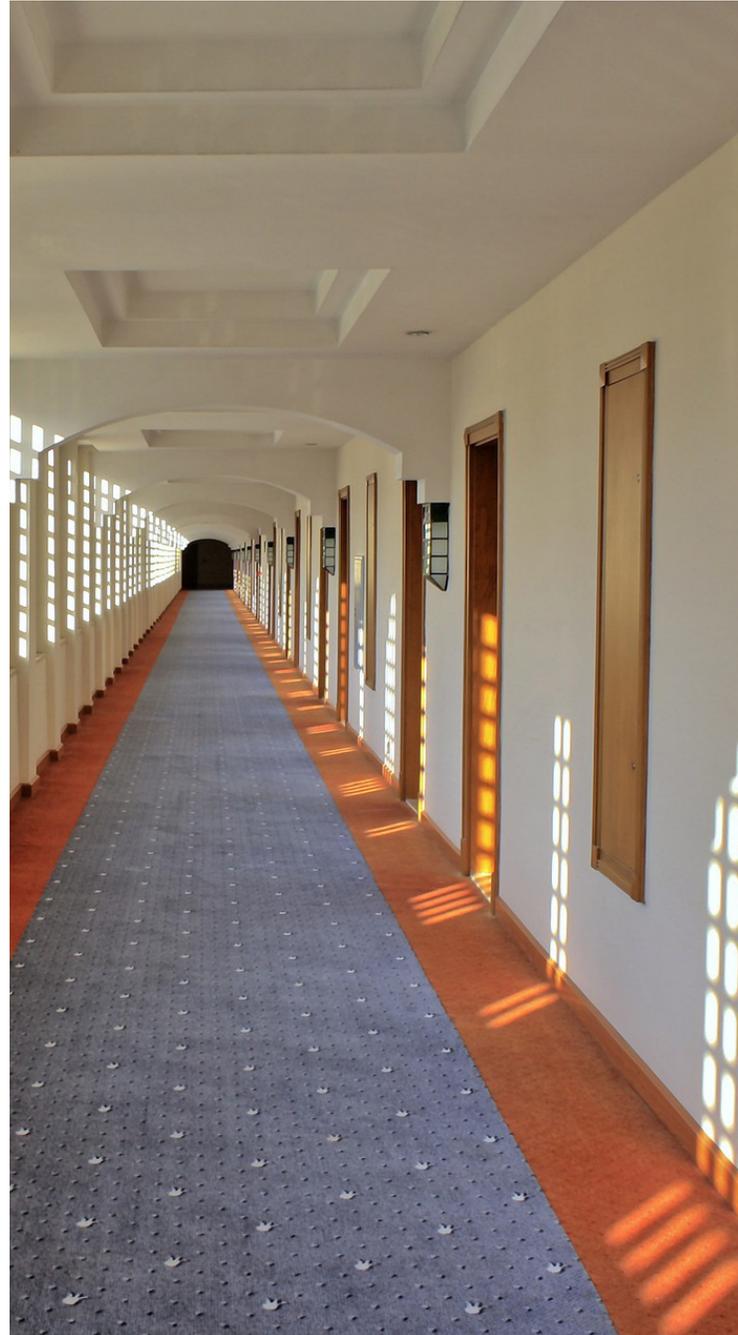
Georgia proscribes, in part, recruiting, enticing, harboring, transporting, providing, soliciting, patronizing, or obtaining an individual for the purpose of sexual servitude.¹³¹ A “person,” which includes a corporation,¹³² can also be held criminally liable for benefiting financially or “receiving anything of value from the sexual servitude of another.”¹³³

A corporation can be held liable for human trafficking only if (A) “an agent of the corporation performs the conduct which is an element of the crime while acting within the scope of his or her office or employment and on behalf of the corporation” and (B) the commission of the crime was either (1) “authorized, requested, commanded, performed, or within the scope of his or her employment on behalf of the corporation” or (2) “constituted a pattern of illegal activity that an agent of the company knew or should have known was occurring.”¹³⁴

Any person or corporation who commits the offense of human trafficking may be fined up to \$100,000 and imprisoned for 10 to 20 years unless the victim is under the age of 18, in which case the offender may be imprisoned for 25 to 50 years or life.¹³⁵

Civil Liability

Georgia does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



FULTON COUNTY, GEORGIA (CONTAINS ATLANTA)

Signage Ordinance

Fulton County requires hotels to post a notice that meets the following requirements:

- (a) The sign should be posted in English, Spanish, and any other language deemed appropriate by the director of the Georgia Bureau of Investigation;
- (b) The sign should be posted in each public restroom and either a conspicuous place near the public entrance of the business or establishment or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted;¹³⁶
- (c) The Georgia Bureau of Investigation is required to develop a model notice that is available for download from its website.¹³⁷

A violation of this ordinance is punishable by a fine not more than \$500. Upon a second or subsequent conviction, the owner shall be guilty of a high and aggravated misdemeanor and shall be punished by a fine not to exceed \$5,000.00.¹³⁸

HAPEVILLE, GEORGIA

Signage Ordinance

Hapeville requires hotels to post a notice that meets the following requirements:

- (a) The sign should be posted in English, Spanish, and any other language deemed appropriate by the director of the Georgia Bureau of Investigation;
- (b) The sign should be posted in each public restroom and either a conspicuous place near the public entrance of the business or establishment or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted;
- (c) The Georgia Bureau of Investigation is required to develop a model notice that is available for download from its website.

A violation of this ordinance is punishable by a fine not more than \$500. Upon a second or subsequent conviction, the owner shall be guilty of a high and aggravated misdemeanor and shall be punished by a fine not to exceed \$5,000.00.¹³⁹

HAWAII

Signage Law

Hawaii requires employers that hold a liquor license or a cabaret license to keep a poster that meets the following requirements:

- (a) The sign must be posted in English in a place readily accessible to employees;
- (b) The poster should be at least 8½ x 11 inches;
- (c) The poster should state the following:¹⁴⁰

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other similar activity – call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. Victims of human trafficking are protected under United States and Hawaii law.

The hotline is:

- (1) Available twenty-four hours a day, seven days a week;
- (2) Toll-free;
- (3) Operated by a nonprofit, non-governmental organization;
- (4) Anonymous and confidential;
- (5) Accessible in one hundred seventy languages; and
- (6) Able to provide help, referral to services, training, and general information.

Any employer who willfully and knowingly fails, neglects, or refuses to post shall be fined not more than \$100 for each day of the violation.¹⁴¹

In addition, legislation proposed in 2019 would require a hotel or lodging facility to post the poster described above.¹⁴²

Training Law

Hawaii does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

However, a proposed bill that is currently pending in the state legislature would require operators of transient accommodations to provide their employees with human trafficking awareness training.¹⁴³ The proposed bill specifies the topics to be included in such trainings, such as guidance on identifying human trafficking and reporting protocols.¹⁴⁴

Criminal Liability

Hawaii's human trafficking law prohibits advancing or profiting from the prostitution of a minor.¹⁴⁵ "Advancing" prostitution includes permitting "premises to be regularly used for prostitution purposes."¹⁴⁶ Sex trafficking is a class A felony.¹⁴⁷ Corporations can be held liable for the offense and a fine of up to \$50,000.¹⁴⁸

Civil Liability

Hawaii does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

IDAHO

Signage Law

Idaho does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Idaho does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Idaho criminal law defines felony “human trafficking” as “[t]he recruitment, harboring, transportation, provision, or obtaining of a person for labor or services.”¹⁴⁹ A corporation can be held liable for a violation of the statute and can be penalized up to \$50,000.¹⁵⁰

Civil Liability

Idaho does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



ILLINOIS

Signage Law

Illinois requires hotels and motels to post a human trafficking notice that meets the following requirements:

- (a) The notice should be posted in a conspicuous and accessible location on the premises that is in clear view of employees;¹⁵¹
- (b) The notice must be at least 8 ½ x 11 inches in size, written in 16-point font;
- (c) The notice should be printed in English, Spanish, and one other language that is most widely spoken in the county (if not English or Spanish).¹⁵²
- (d) The notice must state the following:¹⁵³
If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity, call the National Human Trafficking Resource Center at 1-888-373-7888 to access help and services.

Victims of slavery and human trafficking are protected under United States and Illinois law.

The hotline is:

- Available 24 hours a day, 7 days a week.
- Toll-free.
- Operated by nonprofit non-governmental organizations.
- Anonymous and confidential.
- Accessible in more than 160 languages.
- Able to provide help, referral to services, training, and general information.

Model notices in different languages are available on Illinois's Department of Human Services webpage, as required by the Act.¹⁵⁴

Establishments that fail to post a notice in compliance with the Human Trafficking Resource Center Notice Act may be found guilty of a petty offense and subject to a fine of up to \$500.¹⁵⁵

Training Law

Illinois's Lodging Services Human Trafficking Recognition Training Act requires that lodging establishments provide their employees with training in the recognition of human trafficking and protocols for reporting observed human trafficking to the appropriate authority.¹⁵⁶ The employees of lodging establishments must complete the training within six months after beginning employment and every two years thereafter if still employed there.¹⁵⁷ Further, the training must be at least twenty minutes in duration.¹⁵⁸

A lodging establishment may use its own human trafficking program or that of a third party if the program includes: (a) a definition of human trafficking and commercial exploitation of children; (b) guidance on how to identify individuals who are most at risk for human trafficking; (c) the difference between human trafficking for purposes of labor and for purposes of sex as the trafficking relates to lodging establishments; and (d) guidance on the role of lodging establishment employees in reporting and responding to human trafficking.¹⁵⁹

ILLINOIS continued

In addition, the Department of Human Services has developed a curriculum for an approved human trafficking training recognition program in compliance with the Act.¹⁶⁰ This program may be used by lodging establishments that do not administer their own program as described above.¹⁶¹

Criminal Liability

Illinois law criminalizes advancing or profiting from prostitution or trafficking as a Class 4 felony or if committed within 1,000 feet of real property comprising a school, a Class 3 felony.¹⁶² Advancing prostitution includes keeping a place that could offer seclusion or shelter for the practice of prostitution and permitting the continued use of the place after becoming aware of facts from which he or she should reasonably know that the place is being used for purposes of prostitution.¹⁶³

Civil Liability

Illinois's Trafficking Victims Protection Act allows victims of human trafficking against any person or entity who profits from the victim in any sex trade act.¹⁶⁴ However, the Act notes if a person or entity provides goods and services to the general public, they shall not be liable if they also provide those goods or services to persons who are liable under the criminal liability section, absent a showing that the person or entity either: (1) knowingly markets or provides its goods or services primarily to persons or entities liable; (2) knowingly receives a higher level of compensation from persons or entities liable than it generally receives from customers; or (3) supervises or exercises control over persons or entities liable.¹⁶⁵

CHICAGO, ILLINOIS

Signage and Training Resources

The Cook County Human Trafficking Task Force offers both voluntary signs and training materials available for free for businesses.¹⁶⁶

Training for businesses to identify child trafficking is also offered by the Chicago Children's Advocacy Center.¹⁶⁷

INDIANA

Signage Law

Indiana does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Indiana does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Indiana does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

Civil Liability

Indiana does not currently have a law concerning the criminal liability of lodging facilities where human trafficking occurs.

IOWA

Signage Law

Iowa does not currently have a law mandating human trafficking awareness signage in lodging facilities.

Training Law

Iowa does not have a law that mandates training of lodging facility employees. However, the Iowa Department of Justice is statutorily mandated to create a human trafficking awareness training program that is available, on a voluntary basis, to businesses “that have a high statistical incidence of debt bondage or forced labor or services.”¹⁶⁸

Lodging facilities fit within this category. The programs shall train participants to recognize and report incidents of human trafficking and to suppress the demand that fosters exploitation of persons and leads to human trafficking.

Beginning January 1, 2022, a lodging provider may voluntarily complete and certify that each of the lodging provider’s employees has completed human trafficking prevention training and shall maintain training records for each employee.¹⁶⁹ The human trafficking prevention training shall focus on the accurate and prompt identification and reporting of, or response to, suspected human trafficking and the training’s content must be approved by the commissioner of the department of public safety.¹⁷⁰

No later than December 31, 2021, the commissioner shall develop and maintain procedures to certify a lodging provider’s voluntary completion of human trafficking prevention training.¹⁷¹ The bill also prohibits the use of public funds to procure lodging, facilities, or services from non-certified lodging providers.¹⁷²

Criminal Liability

A “person,” including a corporation,¹⁷³ can be held criminally liable for participating in a venture to recruit, harbor, transport, or supply provisions for the purpose of sex trafficking.¹⁷⁴ A person who knowingly engages in human trafficking in Iowa is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “C” felony.¹⁷⁵ Further, a corporation can be prosecuted for benefitting financially or by receiving anything of value from knowing participation in human trafficking.¹⁷⁶

Class “D” felonies are punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.¹⁷⁷ Class “C” felonies are punishable by confinement for no more than 10 years and a fine of at least \$1,000 but not more than \$10,000.¹⁷⁸

Civil Liability

Iowa does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

KANSAS

Signage Law

Kansas does not currently have a law concerning human trafficking awareness signage in lodging facilities. It does, however, have statutorily mandated human trafficking awareness notices, created by the Secretary of Labor, that are available for display on a voluntary basis.¹⁷⁹

Training Law

Kansas does not currently have a law that requires training employees of lodging facilities about human trafficking. It has, however, a statutorily mandated plan to educate employers about human trafficking created by the Secretary of Labor.¹⁸⁰

Criminal Liability

Under Kansas law, a corporate entity,¹⁸¹ such as a lodging facility, could be guilty of human trafficking if such entity intentionally benefitted financially or received anything of value from participation in a venture that the entity had reason to know involved human trafficking.¹⁸² Such an entity could be guilty of aggravated human trafficking if it was harboring a child knowing that the child, with or

without force, fraud, threat, or coercion, will be used to engage in sexual gratification of someone involving the exchange of anything of value.¹⁸³ Penalties include a fine of \$2,500 to \$5,000 for human trafficking and at least \$5,000 for aggravated human trafficking.¹⁸⁴

Additionally, under Kansas law it is illegal to knowingly establish, own, maintain, manage or otherwise participate in the establishment of any property where sexual relations are being sold or offered for sale by a person younger than 18 years of age.¹⁸⁵

Civil Liability

A victim of human trafficking or commercial sexual exploitation of a child may bring a civil action in an appropriate state court against the person or persons who engaged in such conduct if the victim suffered personal or psychological injury as a result of violations of the criminal liability provision. Such victims may seek actual damages, exemplary or punitive damages, injunctive relief, and any other appropriate relief.¹⁸⁶

KENTUCKY

Signage Law

Kentucky does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Kentucky does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Kentucky Attorney General's office offers training to organizations throughout the state. Most recently, the office launched the state's first coordinated effort to encourage Kentucky hotel owners to sign a pledge to have their front-line staff complete an online human trafficking training.¹⁸⁷

Criminal Liability

A "person", including a corporation,¹⁸⁸ can be prosecuted for "promoting human trafficking" if they benefit financially or receive anything of value from knowing participation in human trafficking or harbor another person knowing that the person will be subject to human trafficking.¹⁸⁹ Under Kentucky state law, a corporation is guilty of an offense only if (a) the conduct constituting the offense consists of a failure to discharge a specific duty imposed upon corporations by law, (b) the conduct constituting the offense is engaged in, authorized, commanded or wantonly tolerated by the board of directors or by a high managerial agent acting within the scope of his employment in behalf of the corporation, or (c) the conduct constituting the offense is engaged in by an agent of the corporation acting within the scope of his employment and in behalf of the corporation.¹⁹⁰

Corporations can be held liable for a fine of up to \$20,000 for a felony, including human trafficking.¹⁹¹

Civil Liability

Kentucky law provides a civil right of action for a victim of human trafficking against a defendant in the event of a conviction, allowing for recovery of the costs of bringing the action, attorney's fees, compensatory, and punitive damages, if the victim prevails.¹⁹²



LOUISIANA

Signage Law

Louisiana requires hotels¹⁹³ to post human trafficking awareness notices that meet the following requirements:¹⁹⁴

- (a) The notices must be no smaller than 8½ x 11 inches, and in bold font no smaller than 14 points.
- (b) The notices must be posted in the location where other employee notices required by state and federal law are posted.
- (c) The notices must be in English, Spanish, Louisiana French, and any other language required by the Commissioner of Alcohol and Tobacco Control.
- (d) The notices must state as follows:¹⁹⁵

If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, or any other activity, call the National Human Trafficking Resource Center hotline at 1-888-373-7888 or text “HELP” to 233733 (Be Free) in order to access help and services.

In addition to the notices, hotels must affix a flyer to the inside door to each bathroom stall at the establishment. Such a flyer shall be designed by the Greater New Orleans Human Trafficking Task Force, with the approval of the Commissioner of the Office of Alcohol and Tobacco Control, and shall be no larger than 8 ½ x 11 inches. The flyer is available on the website for the Office of Alcohol and Tobacco Control.¹⁹⁶

The first violation of this law can result in revocation or suspension of a business permit and/or a fine of \$50 to \$500. The fine for a second offense occurring within three years is \$250 to \$1000, and for a third offense within three years of the first the fine is \$500 to \$2500.¹⁹⁷

Training Law

Louisiana does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, Louisiana provides for the Department of Children and Family Services and the Department of Health and Hospitals to develop a plan for the delivery of services to human trafficking victims and the creation of educational materials for public use.¹⁹⁸

Criminal Liability

Louisiana law defines felony human trafficking, in part, as knowingly recruiting, harboring, transporting, providing, soliciting, receiving, isolating, enticing, obtaining, or maintaining the use of another person through fraud, force, or coercion to provide services or labor.¹⁹⁹ In addition, it is a felony for any person to knowingly benefit from or to knowingly facilitate such activities.²⁰⁰

Under Louisiana law, a corporation,²⁰¹ can be liable for human trafficking and can be fined up to \$15,000, or \$25,000 if the victim is under 18 years of age.²⁰² In addition, the law directs courts to seize any personal property used in the commission of the offense.²⁰³

LOUISIANA, continued

Civil Liability

Louisiana law provides for a civil cause of action for victims of human trafficking.²⁰⁴

NEW ORLEANS, LOUISIANA

Posters and Training Resources

The New Orleans Trafficking Task Forces offers free and voluntary awareness posters and training resources for businesses.²⁰⁵



MAINE

Signage Law

Maine requires certain businesses, where contact with victims of human trafficking is likely, including lodging establishments²⁰⁶, to post human trafficking awareness posters that meet the following requirements:

- (a) The posters should contain a telephone number for the National Human Trafficking Hotline, with such posters to be provided by the Department of Labor;²⁰⁷
- (b) The posters should be posted in a place that is clearly visible to the public and employees;
- (c) The law does not specify the size or text of the posters.

The penalty for failing to comply with the law is a fine of \$300 per violation.²⁰⁸

Training Law

Maine does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Under Maine law, a person is guilty of sex trafficking if they knowingly promotes prostitution, including leasing or otherwise permitting a place to be regularly used for prostitution.²⁰⁹

An organization is guilty of a crime when an agent engages in or causes the conduct outlined in a crime while acting in the scope of the agent's employment.²¹⁰

Civil Liability

A trafficked person may bring a civil action for actual damages, compensatory damages, punitive damages, injunctive relief, any combination of those or any other appropriate relief. A prevailing plaintiff is entitled to an award of attorney's fees and costs.²¹¹ A legal guardian, family member, representative of the trafficked person or court appointee may represent the trafficked person or the trafficked person's estate if deceased.²¹² Additionally, all assets, including money instruments, personal property and real property, used or traceable to a human trafficking offense are subject to forfeiture to the State.²¹³

MARYLAND

Signage Law

Maryland's law enforcement is authorized to issue a civil citation to a lodging establishment requiring the posting of a human trafficking awareness notice in each of its guest rooms for one year if there has been an arrest leading to a conviction for prostitution, solicitation of a child or human trafficking on the property.²¹⁴ Lodging establishments subject to the law include inns, hotels, motels, and any property that contains a minimum of four rooms available to temporary guests for lodging or sleeping purposes for a fee.²¹⁵

The required notice must meet the following requirements:

- (a) The notice should be at least 3 x 5 inches;
- (b) The notice should be printed in English, Spanish and any other language dictated by the federal Voting Rights Act.
- (c) The notice must include, in bold type, the telephone number of the National Human Trafficking Resource Center Hotline.
- (d) The notice, which is identical to that designed by the Department of Labor, Licensing and Regulation, must state as follows:²¹⁶

REPORT HUMAN TRAFFICKING:

National Human Trafficking Resource Center –
1-888-373-7888.

**CALL FOR HELP IF YOU OR SOMEONE YOU
KNOW:**

- Is being forced to have sex without consent
- Has had an ID or document taken away

- Is being threatened by or is in debt to an employer
 - Wants to leave a job but cannot freely do so.
- TOLL FREE. 24/7. CONFIDENTIAL.
INTERPRETERS AVAILABLE.**
- This sign is required under State law.

Failure to comply with the notice requirement can result in a fine of up to \$1,000 (in the aggregate, rather than for each room in violation).²¹⁷

Training Law

Maryland does not currently have a law that requires training employees of lodging facilities concerning human trafficking. A commercial driver's license training school shall include as part of its curriculum education and training on the recognition, prevention, and effective reporting of human trafficking.²¹⁸

Criminal Liability

Under Maryland law, a corporation²¹⁹ can be criminally liable for human trafficking by knowingly "harboring" another for the purpose of prostitution.²²⁰ In addition, the statute proscribes knowingly benefiting financially or receiving anything of value from a venture that traffics others for the purpose of prostitution.²²¹ It is also illegal for a person to knowingly allow a building, structure, or conveyance to be used for prostitution, or to allow a person into a building for prostitution.²²² Property used in connection with trafficking is subject to forfeiture.²²³

MARYLAND, continued

Sex trafficking is a felony subject to a fine up to \$5,000 and imprisonment up to 10 years; or, if the victim is a minor, a fine up to \$15,000 and imprisonment up to 25 years.²²⁴ Those who aid and abet trafficking are subject to the same penalties, as are those who benefit financially from trafficking.²²⁵

Civil Liability

Maryland does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

BALTIMORE, MARYLAND

Signage Ordinance

Baltimore requires hotels to post a sign that meets the following requirements:

- (a) The sign must be at least 3 x 5 inches in size;
- (b) The sign should be printed in English and Spanish;
- (c) The sign must draw attention to the phone number of the national human trafficking resource center hotline by showing the phone number in bold type;²²⁶
- (d) The sign should be posted on the back of each hotel room entry door;
- (e) The sign must state the following:²²⁷

REPORT HUMAN TRAFFICKING:

National Human Trafficking Resource Center
or text “BeFree” (233733)

1-888-373-7888

CALL FOR HELP IF YOU OR SOMEONE YOU
KNOW:

- is being forced to have sex without consent
- has had an ID or documents taken away
- is being threatened by or is in debt to an employer
- wants to leave a job but cannot freely do so

TOLL-FREE | 24/7 | CONFIDENTIAL |

INTERPRETERS AVAILABLE

This sign is required by Baltimore City law.

BALTIMORE, MARYLAND, continued

Beginning in 2020, any person who owns or operates a hotel within the city must annually certify to the housing commissioner, in the form and manner required by the department of housing and community development, no later than December 31 of each year, that the hotel is in compliance with this section.²²⁸

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 for each offense.²²⁹

Training Law

Baltimore requires anyone who owns or operates a hotel within the city to provide biennial training to all hotel employees on how to identify human trafficking activities and human trafficking victims.²³⁰ In addition, the hotel must annually certify to the police commission, no later than December 31st of each year, that all of their employees have completed the required training.²³¹

A violation of this ordinance is subject to a fine of not more than \$1,000 or imprisonment for not more than 12 months.²³²

PRINCE GEORGE'S COUNTY, MARYLAND

Training Ordinance

Prince George's County requires public lodging establishments, including hotels, rooming houses, tourist homes, motels, or tourist cabin park, to provide training to employees on how to identify human sex trafficking victims.²³³ Each new employee must complete the human trafficking training, and lodging establishments must annually certify that all their employees have completed the required training.²³⁴

Any violation of this ordinance shall be punished by a fine not exceeding \$500 for the first offense and \$1,000 for subsequent offenses.²³⁵

Criminal Liability

Prince George's County defines human sex trafficking, in part, as knowingly harboring another in any place for prostitution.²³⁶ In addition, any person who knowingly benefits financially or by receiving anything of value from participation in a venture that engages in human trafficking can be subject to the same penalties.²³⁷ A violation of this human trafficking ordinance carries a fine not to exceed \$1,000.²³⁸

MASSACHUSETTS

Signage Law

Massachusetts does not currently have a law concerning human trafficking awareness signage in lodging facilities. However, the Attorney's General's Office established a Human Trafficking Division that links businesses to trafficking awareness and prevention resources on its websites but the use of those resources by private business is not mandatory.²³⁹ There is a proposed bill to require signage in hair salons and cosmetology studios.²⁴⁰

Training Law

Massachusetts does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Attorney General's Office provides voluntary presentations and awareness trainings to businesses and organizations.²⁴¹

Criminal Liability

Under the Massachusetts Penal Code, human trafficking is defined, in part, as knowingly (i) recruiting, harboring, transporting, providing, or obtaining another person to engage in commercial sexual activity or (ii) benefiting, financially or by receiving anything of value, as a result of a violation of the previous activities.²⁴² Property used to commit or facilitate human trafficking is subject to forfeiture.²⁴³

A business entity that commits trafficking of persons for sexual servitude can be punished by a fine of not more than \$1,000,000.²⁴⁴

Civil Liability

Massachusetts law provides any business entity that knowingly aids in the trafficking of persons for sexual servitude shall be civilly liable.²⁴⁵ The court may award actual damages, compensatory damages, punitive damages, injunctive relief, or any other appropriate relief. A prevailing plaintiff shall also be awarded attorney's fees and costs. Treble damages may be awarded on proof of actual damages if the defendant's acts were willful and malicious.²⁴⁶

MICHIGAN

Signage Law

Michigan requires lodging establishments found to be a public nuisance to display posters that meet the following requirements:²⁴⁷

- (a) The posters must be placed in a location clearly visible to the public and employees, in each facility that is open to use by the public;
- (b) The posters must be no smaller than 8½ x 11 inches, with print no smaller than 14-point font, of durable construction;
- (c) The posters should be printed in English, Spanish, and any other language deemed appropriate by the Michigan Department of Licensing and Regulatory Affairs in consultation with the Attorney General.²⁴⁸
- (d) The posters must state as follows:²⁴⁹
If you or someone you know is being forced to engage in any activity and cannot leave, whether the activity is commercial sex, housework, farm work, or any other activity, please contact the National Human Trafficking Resource Center hotline at 1-888-373-7888 or text 233733 to access help and services.
The victims of human trafficking are protected under U.S. law and the laws of this state.

An entity covered by the statute which does not comply with the signage requirement will be notified and provided 48 hours to come into compliance. An entity notified a second time within one year of the first notification will be fined up to \$250. If the same entity is notified a third time within one year of the previous violations, it will be fined up to \$500.²⁵⁰

While lodging facilities that have not been found to be a public nuisance are not required to display human trafficking awareness posters, they may do so voluntarily and the posters are available in many languages on the Michigan Department of Licensing and Regulatory Affairs website.²⁵¹

Training Law

Michigan does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Attorney General's website includes a number of human trafficking resources and publications, including some geared to the hospitality industry.²⁵² A training video entitled, "Making the Invisible Visible" is on the Michigan Attorney General's YouTube channel, while a publication entitled, "Human Trafficking Red Flags for Hospitality Industry" was published by the Attorney General.

Criminal Liability

Under Michigan criminal law, human trafficking is defined, in part, as recruiting, harboring, transporting, providing, or obtaining another person to engage in commercial sexual activity.²⁵³ In addition, a "person," including a corporation,²⁵⁴ can be prosecuted for knowingly benefiting financially or receiving anything of value from participation in an enterprise that is engaging in human trafficking.²⁵⁵

Civil Liability

Michigan allows victims of sex trafficking against any person or entity that violates any of the criminal human trafficking offenses detailed above.²⁵⁶

MINNESOTA

Signage Law

Minnesota requires all hotel and motel establishments to display a poster that meets the following requirements:

- (a) The poster should be written or approved by the Commissioner of Health and contains information explaining what sex trafficking is in order to raise awareness; how to recognize potential victims; how to identify activities commonly associated with sex trafficking; and effective responses to trafficking situations, including how to report suspected sex traffickers to the proper law enforcement officials.
- (b) The poster must be displayed in a place readily accessible to all employees.
- (c) The law does not specify the size or text of the poster.²⁵⁷

The law does not include any punishment for failure to comply.

Training Law

Minnesota law requires every hotel and motel in the state to ensure that every employee who works on-site, including, but not limited to, any owner, operator, or manager receives the sex trafficking educational training approved by the Commission of Health within 90 days of hiring and annually thereafter. The operator of every hotel and motel is required to certify annually that every employee has received the required training. In addition, lodging operators have an obligation to conduct an ongoing awareness campaign for

employees addressing the required components of the training. Any operator who fails to comply with the training requirement will, upon the first violation, be given six months to comply with an order issued by the Health Commissioner.²⁵⁸ Furthermore, any costs associated with the training requirements are the responsibility of the “licensee” to pay.²⁵⁹

The training requirements, however, do not apply to employees who: (1) are under the age of 16 years unless they clean guest rooms; (2) work exclusively in a restaurant, providing catering services, or both; or (3) do not have direct contact with either guests or guest rooms.²⁶⁰

Criminal Liability

Under Minnesota law, a corporation or other business enterprise²⁶¹ can be held criminally liable for sex trafficking in the second degree for receiving profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution, of an individual.²⁶²

The penalty for sex trafficking in the second degree is a fine of not more than \$40,000,²⁶³ as well as the potential order to dissolve the corporation, suspension or revocation of any license granted by the state, and/or the surrender of its charter under Minnesota law.²⁶⁴

Civil Liability

Any hotel or motel operator or employee who acts in good faith is immune from civil liability for reporting suspected sex trafficking activities.²⁶⁵

ALBERT LEA, MINNESOTA

Training Ordinance

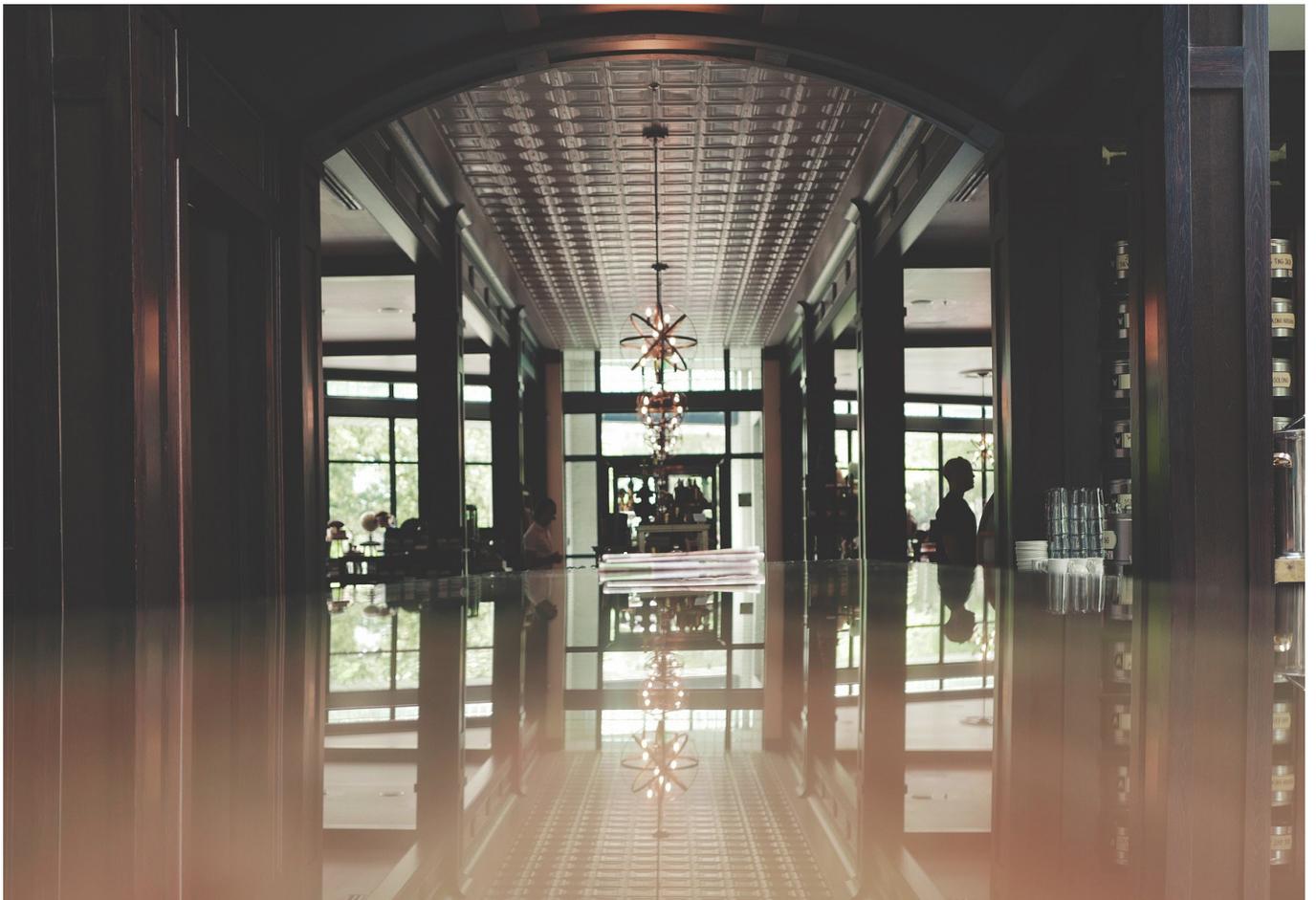
Under Albert Lea law, each person, firm, or corporation that operates a hotel, motel, or extended-stay hotel shall ensure each employee who works on-site, including but not limited to, owner, operator, or manager, receives sex trafficking prevention training.²⁶⁶

For a first violation, the business has six months to comply with a warning. A failure to comply with this requirement can result in a denial, suspension, revocation, or non-renewal of a business license.²⁶⁷

MINNEAPOLIS, MINNESOTA

Civil Liability

The city can deny, suspend, or revoke a hotel's license if hotels commit a prohibited act, including "knowingly allowing a room to be occupied for purposes of sex trafficking."²⁶⁸



MISSISSIPPI

Signage Law

Mississippi does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Mississippi does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Under Mississippi criminal law, human trafficking is defined, in part, as coercing, recruiting, harboring, transporting, providing, or obtaining another person to engage in commercial sexual activity.²⁶⁹ In addition, a person or business entity can be criminally liable for human trafficking for benefitting, whether financially or by receiving anything of value, from participating in an enterprise that he knows or reasonably should have known has engaged in such acts.²⁷⁰

A business may be criminally liable if an agent of the enterprise knowingly engages in conduct that constitutes a human trafficking offense while acting within the scope of employment and for the benefit of the entity.²⁷¹ A business may also be criminally liable if an employee of the

enterprise engages in conduct that constitutes a human trafficking offense and an agent of the enterprise either knew or recklessly disregarded the offense and the agent failed to take effective action to stop the illegal activity.²⁷² There is an affirmative defense where the enterprise had in place adequate procedures, including an effective complaint procedure, designed to prevent persons from engaging in unlawful conduct and to promptly correct any violations of law.²⁷³ A business may be fined up to \$1,000,000 for violations and may also have to disgorge profits and could be debarred from government contracts. Additionally, a court may order forfeiture of assets for a criminal sex trafficking violation.²⁷⁴

Any person who has reasonable cause to suspect that a minor under the age of 18 is a trafficked person shall immediately make a report of the suspected child abuse or neglect to the Department of Child Protection Services and to the Statewide Human Trafficking Coordinator.²⁷⁵

Civil Liability

Mississippi does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

MISSOURI

Signage Law

Missouri requires hotels, motels, and other establishments that have been cited as a public nuisance to display a human trafficking awareness poster that meets the following requirements:

- (a) The poster should be designed by the Department of Public Safety;²⁷⁶
- (b) The poster shall be displayed in a conspicuous place in or near the bathrooms or near the entrance;
- (c) The poster must be at least 8½ x 11 inches in size;
- (d) The poster must be printed in English, Spanish, and any other language required for voting material under the federal Voting Rights Act;
- (e) The poster must contain a statement substantially similar to the following:²⁷⁷

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the National Human Trafficking Resource Center Hotline at 1-888-373- 7888 or text 233733 (BEFREE) or visit the following website: www.traffickingresourcecenter.org to access help and services. Victims of human trafficking are protected under U.S. and Missouri law.

The toll-free hotline is:

- Available 24 hours a day, 7 days a week
- Operated by a non-profit, non-governmental organization
- Anonymous and confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information.

Additional information about other hotlines providing assistance to human trafficking victims may also be included. Any owner of an establishment required to post the hotline notice who fails to comply with the requirement will receive a written warning for the first violation and “may be guilty of an infraction for any subsequent violation.”²⁷⁸

Training Law

Missouri does not currently have a law that requires training employees of lodging facilities concerning human trafficking. Training materials prepared in conjunction with local businesses and nonprofits are available on the Attorney General’s website.²⁷⁹

Criminal Liability

Under Missouri criminal law, human trafficking is defined, in part, as coercing, recruiting, harboring, transporting, providing, or obtaining another person to engage in commercial sexual activity.²⁸⁰ In addition, a person or business entity can be criminally liable for human trafficking for benefitting, whether financially or by receiving anything of value, from participating in such trafficking activities.²⁸¹

Civil Liability

Missouri does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

MONTANA

Signage Law

Montana does not currently have a law requiring lodging facilities to display human trafficking awareness signage. However, the Montana Department of Justice is statutorily required to design a poster that must be 8½ x 11 inches and that states the following:²⁸²

“If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. Victims of human trafficking are protected under U.S. and Montana law. The toll-free hotline is:

- Available 24 hours a day, 7 days a week;
- Toll-free;
- Operated by a nonprofit, nongovernmental organization;
- Anonymous and confidential;
- Accessible in 170 languages; and
- Able to provide help, referral to services, training, and general information.”

The poster is available for print on the Department of Justice’s website.²⁸³ While the display of the poster is encouraged in a location that is accessible to employees and members of the public, it is not mandated.

Montana requires that the poster be displayed at rest areas along interstate and state highways.²⁸⁴

Training Law

Montana does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the

Montana Department of Justice provides a voluntary and free training video on its website.²⁸⁵ Beginning July 1, 2019, Montana also established a two-person trafficking enforcement team, whose duties include providing training, outreach, education, and coordination on human trafficking at a state level.²⁸⁶

Criminal Liability

Under Montana criminal law, human trafficking is defined, in part, as knowingly recruiting, transporting, transferring, harboring, receiving, providing, obtaining, isolating, maintaining, or enticing another person intending or knowing that the person will be subjected to involuntary servitude or sexual servitude.²⁸⁷ In addition, a person or business entity²⁸⁸ can be criminally liable for human trafficking for benefitting, whether financially or by receiving anything of value, from participating in such trafficking activities.²⁸⁹ Property knowingly used in human trafficking is subject to forfeiture.²⁹⁰

The penalty for trafficking offenses is a fine not to exceed \$75,000, or, if the victim is a child, not to exceed \$100,000.²⁹¹

Civil Liability

Montana allows victims to bring civil action against any person or business entities that violate the criminal human trafficking laws detailed above.²⁹² A court may award compensatory damages, punitive damages, injunctive relief, attorneys fees, and any other appropriate relief.²⁹³ The section does not, however, preclude any other remedy available to the victim under federal or state law.²⁹⁴

NEBRASKA

Signage Law

Nebraska does not currently have a law requiring lodging facilities to display human trafficking awareness signage. Effective November 14, 2020, Nebraska's human trafficking task force shall work with local businesses and nonprofit entities to voluntarily place human trafficking information posters in hotels. The poster shall be in English, Spanish, and any other language deemed appropriate and shall include a toll-free telephone number a person may call for assistance, preferably the National Human Trafficking Resource Center Hotline.²⁹⁵

Training Law

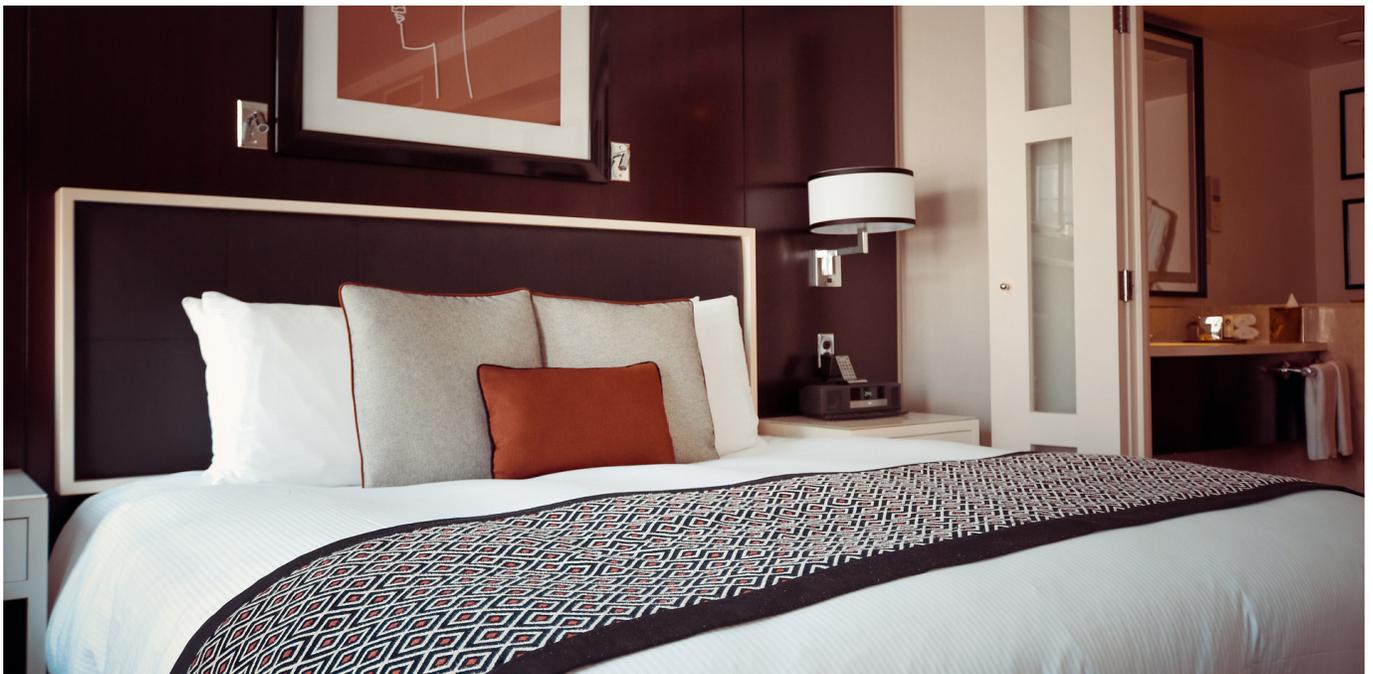
Nebraska does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Attorney General's Office provides voluntary training resources on its website.²⁹⁶

Criminal Liability

Under Nebraska criminal law, human trafficking is defined, in part, as knowingly recruiting, enticing, harboring, transporting, providing, soliciting, or obtaining another person to engage in commercial sexual activity without their consent.²⁹⁷ In addition, a "person," including a corporation,²⁹⁸ can be prosecuted for knowingly benefiting financially or receiving anything of value from participation in an enterprise that is engaging in human trafficking.²⁹⁹

Civil Liability

A trafficking victim who suffered personal or mental injury, death, or any other damages proximately caused by human trafficking may bring a civil action against any person who knowingly (a) engaged in human trafficking of such victim or (b) aided or assisted in the human trafficking of such victim.³⁰⁰



NEVADA

Signage Law

Nevada does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Nevada does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Nevada Attorney General's Office provides voluntary and free training resources on their website.³⁰¹

Criminal Liability

Under Nevada criminal law, sex trafficking is defined, in part, as inducing, causing, recruiting, harboring, transporting, providing, obtaining, or maintaining another knowing or in reckless disregard of the fact that threats, violence, force, intimidation, fraud, duress or coercion will be used to cause the person to engage in prostitution.³⁰² Trafficking also includes subjecting another person to forced labor or services by threats of violence or other coercion.³⁰³ In addition, a "person," including a corporation,³⁰⁴ can be prosecuted for receiving anything of value with the specific intent of facilitating a violation of the human trafficking law.³⁰⁵

A violation of this human trafficking law constitutes a felony and may be punished by a fine of not more than \$10,000, or if the victim is a child less than 14 years of age, not more than \$20,000.³⁰⁶

Civil Liability

Nevada law allows a victim of human trafficking to bring a civil action against any person who caused, was responsible for, or profited from the human trafficking.³⁰⁷

NEW HAMPSHIRE

Signage Law

New Hampshire does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

New Hampshire does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the New Hampshire Human Trafficking Collaborative Task Force offers voluntary training resources on its website.³⁰⁸

Criminal Liability

Under New Hampshire law, it is a class A felony to harbor a person, knowing or believing it likely that the person will be subjected to trafficking.³⁰⁹ In addition to its ordinary meaning, the statutory definition of "person" includes corporations and unincorporated associations.³¹⁰

The penalty for sex trafficking includes a fine not exceeding \$4,000 for an individual, and \$100,000 for a corporation or unincorporated association³¹¹ and the forfeiture of any real property involved in the offense.³¹²

Civil Liability

New Hampshire allows a victim to bring a civil action against a person that commits an offense under the criminal human trafficking law detailed above for damages, injunctive relief, or other appropriate relief.³¹³

NEW JERSEY

Signage Law

The Department of Community Affairs enacted a regulation, as part of a mandated training program, that requires the posting of an information sheet that meet the following requirements:

- (a) The information sheet should be available in English and Spanish;
- (b) The sheet should provide information on reporting suspected human trafficking;
- (c) The sheet should be posted in conspicuous and visible locations in areas accessed by hotel employees including, but not limited to, laundry rooms and employee break rooms.³¹⁴

New Jersey's Human Trafficking Prevention, Protection and Treatment Act created a Commission on Human Trafficking and gave the Commission the duty to "develop mechanisms to promote public awareness of human trafficking, including the promotion of the national, 24-hour toll-free hotline telephone service on human trafficking... and the promotion of training courses and other educational materials for use by persons... to undergo training on the handling of and response procedures for suspected human trafficking activities."³¹⁵ The Commission has worked with the Office of the Attorney General's Department of Law and Safety to create human trafficking awareness posters that may be displayed in lodging facilities, and the posters are available on the Department's website.³¹⁶

A proposed bill currently pending the state senate would require hotels to post a human trafficking hotline notice and be liable for a civil penalty of \$300 for a first offense and \$1,000 for each subsequent offense.³¹⁷

Training Law

New Jersey law requires the Department of Community Affairs and the Commission on Human Trafficking to create and provide a one-time training course on "the handling and response procedures of suspected human trafficking activities for owners, operators, and staff of hotels and motels."³¹⁸ Verified completion of the course by required staff "shall be a condition of issuance, maintenance, or renewal" of any license, certificate, or permit. The training course must be reviewed at least every two years and modified as required.³¹⁹ Further, the Department of Community Affairs must oversee and ensure that "all hotel and motel owners, operators, and required staff attend [a] one-time training course... within six months of the first day of ownership, operation, or employment for all new owners, operators and required staff."³²⁰

The regulations adopted by the Department of Community Affairs pursuant to this mandate specify that the employees to be trained are: hotel management, front desk and registration employees, janitorial and housekeeping staff, and hotel security staff.³²¹ As part of the training the Department has provided a video on recognizing and reporting suspected human trafficking in English and Spanish, and all the specified employees must view the video.³²² The lodging facility is required to maintain a list of the current employees and the date on which they viewed the video and a certificate must be filed with the Department by the owner or manager stating that the employees have viewed the video and that the list of employees and the dates of viewing has been maintained and is available for inspection.³²³

NEW JERSEY, continued

Criminal Liability

Under New Jersey law, a person can be held criminally liable for human trafficking if he or she knowingly harbors a victim of human trafficking.³²⁴

A person can be held criminally liable for human trafficking in the second degree if he or she provides services, resources, or assistance with the knowledge that the services, resources, or assistance are intended to be used in furtherance of the commission of the crime of human trafficking.³²⁵ For purposes of this law, “services, resources, or assistance” include business services, lodging, and the provision of facilities or any other service or property with a pecuniary value that exceeds \$200, whether or not a person is compensated for the services, resources, or assistance.³²⁶

A proposed bill currently pending in the state assembly would expand criminal liability to include anyone who “benefits financially” from a human trafficking scheme.³²⁷

Civil Liability

Under New Jersey law, any person injured, including injury due to loss of money or property as a result of a human trafficking offense can bring a civil action against an actor and all those acting in concert with that actor who committed a human trafficking offense.³²⁸

A proposed bill currently pending in the state senate would explicitly allow a victim of human trafficking to bring a civil action against all those who knowingly derived a pecuniary benefit from the offense, whether or not those parties were acting in concert with the offender, as well as those who knowingly maintained a victim of the offense, whether or not those parties were acting in concert with the offender.³²⁹

NEW MEXICO

Signage Law

New Mexico requires all employers who subject to the Minimum Wage Act to display a trafficking awareness poster that meets the following requirements:³³⁰

- (a) The poster must be at least 8½ x 11 inches.
- (b) The poster must be in English, Spanish, and any other written language where ten percent or more of the workers or users of the facility speak that language, with the portions in each language equal in size.
- (c) The poster must be displayed in a conspicuous location visible to both employees and the public.
- (d) The law mandates the inclusion of the following text:³³¹

NOTICE ON HUMAN TRAFFICKING: OBTAINING FORCED LABOR OR SERVICES IS A CRIME UNDER NEW MEXICO AND FEDERAL LAW. IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF THIS CRIME, CONTACT THE FOLLOWING: IN NEW MEXICO, CALL OR TEXT 505- GET-FREE (505- 438-3733); OR CALL THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE TOLL-FREE AT 1-888-373- 7888 FOR HELP.

YOU MAY ALSO SEND THE TEXT “HELP” OR “INFO” TO BEFREE (“233733”). YOU MAY REMAIN ANONYMOUS, AND YOUR CALL OR TEXT IS CONFIDENTIAL.

No penalties for failure to display the poster are specified.

Training Law

New Mexico does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Under New Mexico criminal law, human trafficking is defined, in part, as knowingly recruiting, soliciting, enticing, transporting, or obtaining a person under 18 years of age with the intent or knowledge that the person will be caused to engage in commercial sexual activity,³³² or with the intent or knowledge that force, fraud or coercion will be used to subject the person to labor, services or commercial sexual activity.³³³ In addition, a “person,” including a corporation,³³⁴ can be prosecuted for benefitting, financially or by receiving anything of value, from the commercial sexual activity of another person with the knowledge that force, fraud, or coercion was used to obtain the commercial sexual activity.³³⁵

A violation of these criminal provisions is a third-degree felony carrying a fine of \$5,000 and punishable by between three and six years imprisonment; a second-degree felony carrying a fine of \$12,500 and punishable by between nine and 15 years imprisonment if the victim was under 16; or a first-degree felony carrying a fine of \$15,000 and punishable by up to 18 years imprisonment if the victim was under 13.³³⁶

NEW MEXICO, continued

Civil Liability

In New Mexico, a human trafficking victim may bring a civil action against an alleged human trafficker, as defined by the criminal law provision detailed above, for actual damages, compensatory damages, punitive damages, injunctive relief, or any other appropriate relief. If a court finds that a defendant's actions are willful and malicious, the court may award treble damages to the plaintiff. Prevailing plaintiffs are also entitled to recover reasonable attorney fees and costs. The statute of limitations for a civil action for human trafficking is 10 years from either 1) the date on which the trafficking actions occurred, or 2) the date on which the victim attains 18 years of age if the victim was a minor when the defendant's actions occurred.³³⁷

PUEBLO OF LAGUNA, NEW MEXICO

Criminal Liability

Pueblo of Laguna's criminal law defines sex trafficking of children, in part, as harboring, transporting, or maintaining a person under 18 by any means for the purpose of commercial sex acts.³³⁸ In addition, a corporation can be prosecuted for benefitting financially or for receiving anything of value, from participation in a venture engaged in the sex trafficking of children.³³⁹

A violation of this criminal law carries the maximum fine allowable under federal law.³⁴⁰



NEW YORK

Signage Law

New York law provides that every keeper of a lodging facility must display human trafficking information cards that meet the following requirements:

- (a) The cards should be available in public restrooms, guestrooms, and near public entrances and other conspicuous places;³⁴¹
- (b) The cards must contain only information concerning services for human trafficking victims and must prominently include the National Human Trafficking Center Hotline telephone number.
- (c) The law does not require any specific text, other than the hotline number, nor does it specify size or font.
- (d) The content of the cards may be developed by the Office of Temporary and Disability Assistance (OTDA), in consultation with the New York State Interagency Task Force on Human Trafficking, the United States Department of Homeland Security, or the lodging facility.

There are no specific penalties for failure to abide by the law. The law further provides that lodging facilities may, on a voluntary basis, also display a human trafficking awareness notice. The OTDA, in consultation with the New York State Interagency Task Force on Human Trafficking, must provide the notice.

Training Law

New York does not currently have a law that requires training employees of lodging facilities concerning human trafficking.³⁴²

Criminal Liability

Under New York law, a person is guilty of sex trafficking if he or she intentionally advances or profits from prostitution by, among other activities, illegally providing drugs to, making material false statements to, withholding documents of, or using force on a person patronized for prostitution.³⁴³ Sex trafficking is a Class B felony in the state of New York.³⁴⁴

Under New York law, a person over 21 years of age is guilty of sex trafficking of a child when he or she intentionally advances or profits from prostitution of another person and such person is a child less than 18 years old.³⁴⁵ Knowledge of the age of the victim is not an element of the offense, and lack of knowledge of the age of the victim is not a defense to this crime.³⁴⁶ “Advancing prostitution” under this law is defined as engaging “in conduct that facilitates an act or enterprise of prostitution,” and “profiting from prostitution” under this law is defined as “accepting or receiving money or other property pursuant to an agreement or understanding with any person whereby he or she participates in the proceeds of prostitution activity.”³⁴⁷ Sex trafficking of a child is a Class B felony in the state of New York.³⁴⁸

In a prosecution for sex trafficking, the prostituted person will not be considered an accomplice to their own sale or attempted sale.³⁴⁹ However, a person is guilty of “permitting prostitution,” a Class B misdemeanor in the state of New York, when “having possession or control of premises... which he or she knows are being used for prostitution purposes or for the purpose of advancing prostitution, he or she fails to make reasonable effort to halt or abate such use.”³⁵⁰

NEW YORK, continued

Civil Liability

A victim of the conduct prohibited by the above criminal provisions may bring a civil action against the perpetrator or whoever knowingly advances or profits from, or whoever should have known he or she was advancing or profiting from, an act in violation of the above provisions to recover damages and reasonable attorney's fees.³⁵¹



NORTH CAROLINA

Signage Law

North Carolina requires holders of Alcoholic Beverage Control permits, which includes hotels, to display a human trafficking awareness sign that meets the following requirements:³⁵²

- (a) The sign should be created and provided by the North Carolina Human Trafficking Commission and should include the National Human Trafficking Resource Center Hotline information.
- (b) The sign must be displayed in a conspicuous location visible to both employees and the public.

Penalties may include suspension or revocation of the permit or fines up to \$1,250 (maximum for repeat violations).³⁵³

Training Law

North Carolina does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the North Carolina Human Trafficking Commission does offer on-site training.³⁵⁴

Criminal Liability

Under North Carolina criminal law, human trafficking is defined, in part, as knowingly or recklessly disregarding the consequences of the action recruiting, enticing, harboring, transporting, providing, or obtaining by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude.³⁵⁵ A violation of this law is a Class C felony if the victim is an adult or a Class B2 felony if the victim of the offense is a minor.³⁵⁶

A proposed bill currently pending in the state legislature would also criminalize benefiting financially or receiving anything of value from the services of another person they know is being subjected to or maintained in sexual servitude. The bill further would prohibit the selling of “travel services,” including hotel or other lodging accommodations that the person knows to include travel for the purpose of engaging in conduct that would constitute a human trafficking statute.³⁵⁷

Civil Liability

An individual who is a victim of human trafficking may, in North Carolina, bring a civil action against any person or entity that violates the criminal provision detailed above or against a person who knowingly benefitted financially from a venture which that person knew or should have known violated the criminal human trafficking provision.³⁵⁸ The victim may seek injunctive relief, compensatory damages, damages for noneconomic losses, and reasonable attorneys’ fees.³⁵⁹ The statute of limitations for bringing an action under this law is either 1) 10 years after the cause of action arose, or 2) 10 years after the victim reaches 18 years of age if the victim was a minor at the time of the alleged offense.³⁶⁰

NORTH DAKOTA

Signage Law

North Dakota law provides that a proprietor may post a notice provided by the human trafficking commission including the contact information for an organization that provides assistance and support services to human trafficking victims.³⁶¹ Under the law, the poster may be visibly displayed at the lodging establishment's check-in area, lobby, or transient guest services.³⁶²

Training Law

North Dakota does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the state human trafficking commission is statutorily tasked with establishing an educational training program with a focus on the accurate and prompt identification of, reporting of, or response to suspected human trafficking.³⁶³ A lodging establishment's proprietor may provide each onsite employee with the training established by the human trafficking commission. A proprietor may annually certify each employee has received the training and may conduct an ongoing awareness campaign for their employees.³⁶⁴

Criminal Liability

Under North Dakota law, human trafficking is defined, in part, as knowingly recruiting, transporting, transferring, harboring, receiving, providing, isolating, or maintaining an individual in furtherance of sexual servitude.³⁶⁵ A business entity may be prosecuted for a human trafficking offense and may be penalized a fine of not more than \$1,000,000, disgorgement of profit from activity in violation of North Dakota law, and debarment from state and local government contracts.³⁶⁶

Civil Liability

In North Dakota, a victim may bring a civil action against a person that commits an offense against the victim under the criminal provision discussed above for compensatory damages, exemplary or punitive damages, injunctive relief, and "any other appropriate relief."³⁶⁷ However, the law provides that a proprietor or employee of a lodging establishment who acts in good faith is immune from liability in any civil action for reporting suspected human trafficking activities.³⁶⁸

OHIO

Signage Law

Ohio law encourages but does not require lodging and other establishments to display the human trafficking awareness posters prepared by the Division of Criminal Justice Services in the Department of Public Safety.³⁶⁹

If a lodging facility chooses to display such a poster, it must meet the following requirements:

- (a) The poster should be at least 8½ x 11 inches;
- (b) The poster should be printed in English, Spanish, and any other language required for voting material in a given county;
- (c) The poster should contain a statement with substantially the following text:³⁷⁰

If you or someone you know is being forced to engage in any activity and cannot leave whether it is commercial sex, housework, farm work, or other activity call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services.

Victims of human trafficking are protected under U.S. and Ohio law.

The toll-free Hotline is:

- Available 24 hours a day, 7 days a week
- Operated by a non-profit, non-governmental organization
- Anonymous & confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information.

- (d) In addition to the National Human Trafficking Resource Center Hotline, the statement on the poster may contain any additional hotline regarding human trafficking for access to help and services.

Training Law

Ohio does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the state provides voluntary human trafficking training resources on its website.³⁷¹

Criminal Liability

Ohio defines human trafficking, in part, as knowingly recruiting, isolating, harboring, or maintaining a person for the purposes of commercial sexual activity.³⁷² A violation of this law constitutes a felony in the first degree.

Civil Liability

Ohio does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs. Victims can, however, pursue civil damages against traffickers.³⁷³

OKLAHOMA

Signage Law

Oklahoma does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Oklahoma does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Under Oklahoma criminal law, human trafficking is defined, in part, as recruiting, enticing, harboring, maintaining, transporting, providing, or obtaining a minor³⁷⁴ or another person through deception, force, fraud, threat or coercion for purposes of engaging the person in a commercial sex act.³⁷⁵ In addition, a “person,” including a corporation,³⁷⁶ can be prosecuted for benefiting financially or by receiving anything of value from participating in a venture that has engaged in an act of trafficking for commercial sex.³⁷⁷

Civil Liability

Any victim of human trafficking may bring a civil action against the person and persons who committed the criminal violation against them.³⁷⁸

In addition, the state can bring an action against any individual, including an employer, supervisor, or administrator, who knowingly and willfully fails to report suspected trafficking in children or who interferes with the prompt reporting of trafficking in children.³⁷⁹ Any person who is licensed by a state entity may be subject to discipline, including license revocation or suspension, if the person knowingly and willfully fails to promptly report suspected trafficking in children or interferes with the prompt reporting of trafficking in children.³⁸⁰

OREGON

Signage Law

Oregon does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Oregon does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Oregon Department of Justice has a Trafficking Intervention Program, which has a stated goal of developing a comprehensive statewide response to human trafficking, including training and assistance for law enforcement and community partners.³⁸¹

Criminal Liability

Under Oregon law, a person who knowingly (i) harbors, or attempt to harbor, another person and knows or recklessly disregards facts indicating that that the other person is a victim of human trafficking, or (ii) benefits financially or receives something of value from participation in a venture that involves human trafficking can be held criminally liable.³⁸² The statutory definition of “person” includes public or private corporations, unincorporated associations, and partnerships, in addition to natural persons.³⁸³

Civil Liability

Irrespective of any criminal prosecution or the result of a criminal prosecution, a person injured by a violation of the above criminal provisions may bring a civil action for damages against the person whose actions are unlawful.³⁸⁴ The plaintiff may recover (a) both special and general damages, including damages for emotional distress and (b) punitive damages.³⁸⁵

PENNSYLVANIA

Signage Law

Pennsylvania requires any hotel found to be a drug-related or common nuisance, to display human trafficking awareness posters that meet the following requirements:³⁸⁶

- (a) The posters must contain information about the National Human Trafficking Resource Center Hotline and state that victims of human trafficking are protected under state and federal law;³⁸⁷
- (b) The posters must be at least 8½ x 11 inches;
- (c) The posters must be printed in English, Spanish, and any other language mandated by the Voting Rights Act in the relevant county.³⁸⁸

Administrative penalties assessed by the licensing authority for failure to properly post such signs begin with a warning and increase to monetary fines of up to \$500. Criminal penalties for failure to properly post such signs begin with a fine of no more than \$100 and increase with any additional violations, up to a misdemeanor and a fine of up to \$500.³⁸⁹

Training Law

Pennsylvania does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, subject to availability of funds, grants are to be made available to state and local government and non-governmental agencies to develop or expand programs geared toward prevention of human trafficking, including increasing public awareness.³⁹⁰

Criminal Liability

Under Pennsylvania law, human trafficking is defined, in part, as recruiting, enticing, soliciting, harboring, transporting, or maintaining an individual if the person knows or recklessly disregards that the individual will be subject to sexual servitude.³⁹¹ Human trafficking is a first-degree felony.³⁹² A person commits a felony of the first degree if the person engages in any sex act or performance with another individual knowing that the act or performance is the result of the individual being a victim of human trafficking.³⁹³ Additionally, a person commits an offense if the person engages in any sex act or performance with another individual with reckless disregard for whether the act or performance is the result of the individual being a victim of human trafficking; this offense is a felony of the third degree if it is the first offense, and a felony of the first degree if it is a second or subsequent offense.³⁹⁴

In addition, any business entity that knowingly aids or financially benefits from human trafficking³⁹⁵ could be subject to any of the following penalties: (1) a fine of not more than \$1,000,000; (2) revocation of the business entity's (i) charter, if it is organized under laws of Pennsylvania, or (ii) certificate of authority to do business in Pennsylvania if the business entity is not organized under the laws of Pennsylvania; or (3) other relief as the courts deems equitable, including forfeiture of assets or restitution.³⁹⁶

PENNSYLVANIA, continued

Civil Liability

Pennsylvania law provides that a victim of human trafficking may bring a civil action against anyone who participated in trafficking the victim. It further provides that “a victim of the sex trade” may sue any person that: “(i) recruits, profits from or maintains the victim in any sex trade act; (ii) abuses or causes bodily harm to the victim in any sex trade act; and (iii) knowingly advertises or publishes advertisements for purposes of recruitment into sex trade activity.”³⁹⁷

It is possible that a lodging facility could be identified as an entity that “profits from” sex trafficking, albeit indirectly, by collecting the fee of letting a room to traffickers, but the availability of civil liability is restricted. Lodging facilities would appear to fall under the explicit exception for “any person who provides goods and services to the general public,” contained in the statute. As a business providing services to the general public, a lodging facility could only be held civilly liable to a victim trafficked at the facility if it “knowingly markets or provides” services to traffickers, knowingly receives a higher level of compensation from a trafficker, or supervises or exercises control over a trafficker.³⁹⁸



RHODE ISLAND

Signage Law

Rhode Island requires lodging facilities previously cited as a nuisance to display human trafficking awareness posters.³⁹⁹ Any such business must display the sign in a location that is clearly conspicuous and visible to employees and the public.⁴⁰⁰ The law does not specify the size or exact text of the posters.

The penalty for knowingly failing to comply with the law is \$300 per violation.⁴⁰¹

Training Law

Rhode Island does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the council on human trafficking is statutorily tasked with bringing together governmental and non-governmental actors to, among other things, coordinate training on prevention for state and local employees.⁴⁰²

Criminal Liability

A person commits the offense of human trafficking if the person knowingly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains, or entices an individual in furtherance of forced labor or sexual servitude.⁴⁰³

Under Rhode Island law, a business entity may be prosecuted for human trafficking if: (1) the entity knowingly engaged in conduct that constitutes human trafficking or (2) an employee or nonemployee agent of the entity engages in conduct that constitutes human trafficking and the conduct is part of a pattern of activity in violation of the statute governing human trafficking for the benefit of the entity, which the entity knew was occurring and failed to take effective action to stop.⁴⁰⁴

If a business entity is found criminally liable for human trafficking, the court may consider the severity of the entity's conduct and order penalties in addition to those otherwise provided for the offense, including: (1) a fine of not more than \$50,000 per offense; (2) disgorgement of profit from the activity; and (3) debarment from state and local government contracts.⁴⁰⁵

Civil Liability

An individual who is a victim of human trafficking may bring a civil action against any person that participated in the human trafficking of the individual for compensatory damages, punitive damages, injunctive relief, and any other appropriate relief.⁴⁰⁶

SOUTH CAROLINA

Signage Law

South Carolina requires all lodging facilities to display human trafficking awareness posters that meet the following requirements:

- (a) The posters must be no smaller than 8½ x 11 inches;
- (b) The posters must be printed in both English and Spanish on the same poster;
- (c) The notices must be posted in each public restroom of the business or establishment and in a prominent location conspicuous to the public at the entrance of the establishment where posters and notices are customarily posted.⁴⁰⁷
- (d) The posters must state as follows:⁴⁰⁸
If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, or any other activity, call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. Victims of human trafficking are protected under federal law and the laws of South Carolina. The hotline is:
 1. available twenty-four hours a day, seven days a week;
 2. operated by a nonprofit, non-governmental organization;
 3. anonymous and confidential;
 4. accessible in one hundred seventy languages;
 5. able to provide help, referral to services, training, and general information.

(e) The law mandates several state agencies to provide the required posters by making them available for download from their websites. Lodging facilities are required to download the posters and post them in not less than 16-point font.

The penalty for failure to properly post such notice is a written warning for the first violation and a \$50 fine for each subsequent violation.⁴⁰⁹

Training Law

South Carolina does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Attorney General's Office provides voluntary and free training materials and resources.⁴¹⁰

Criminal Liability

Under South Carolina law, a person who (i) knowingly harbors or transports a victim of sex trafficking or (ii) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in sex trafficking, may be held criminally liable.⁴¹¹ The principal owners of a business that knowingly aids or participates in a violation of the above provisions will be subject to a fine or loss of business license in the State, or both.⁴¹²

Civil Liability

A victim of trafficking in persons may bring a civil action against anyone who violates the criminal provisions detailed above. The court can award actual damages, compensatory damages, punitive damages, injunctive relief, and other appropriate relief, including treble damages.⁴¹³

SOUTH DAKOTA

Signage Law

South Dakota does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

South Dakota does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the South Dakota West River Human Trafficking Task Force offers free and voluntary training resources.⁴¹⁴

Criminal Liability

Under South Dakota law, a person who purposely or knowingly harbors a victim of human trafficking

or benefits financially or by receiving anything of value from facilitating human trafficking can be held criminally liable.⁴¹⁵ If the victim is under 18 years of age, the crime of human trafficking need not be purposeful or knowing.⁴¹⁶ The statutory definition of an actor for purposes of the criminal law includes limited liability companies, corporations, firms, organizations, and partnerships, and thus can cover lodging facilities.⁴¹⁷

Civil Liability

South Dakota provides that a victim of human trafficking under the criminal provision detailed above may bring a civil cause of action.⁴¹⁸



TENNESSEE

Signage Law

Tennessee strongly encourages any governmental entity or private business or establishment that provides or offers a place of lodging that is licensed by the state or engaged in commerce in this state to post a sign that meets the following requirements:

- (a) The sign should be no smaller than 8½ x 11 inches indicating certain information regarding the Tennessee human trafficking center hotline, a state-run hotline maintained by the Tennessee Bureau of Investigation.
- (b) The title of the sign and the Tennessee human trafficking center hotline should be in boldface and underlined and no smaller than 28 point font size.
- (c) The sign should be posted in a location visible to employees and the general public.⁴¹⁹
- (d) The sign must be in English, Spanish, and any other language mandated by the Voting Rights Act of 1965, in the county where the sign will be posted.
- (e) The sign should state the following:⁴²⁰
Tennessee Human Trafficking Resource Center Hotline at 1-855-558-6484. If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the Tennessee Human Trafficking Hotline to access help and services.

Victims of human trafficking are protected under United States and Tennessee law.

The hotline is:

- Anonymous and confidential
- Available 24/7
- Toll free
- Available to Non-English speaking callers through assistance of Interpreters.

The law provides that the Department of Labor and Workforce shall make the sign available on its website and shall periodically send an electronic notification to any business or establishment that is licensed by the state or any subdivision thereof that encourages the posting of the sign.⁴²¹

Training Law

Tennessee does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

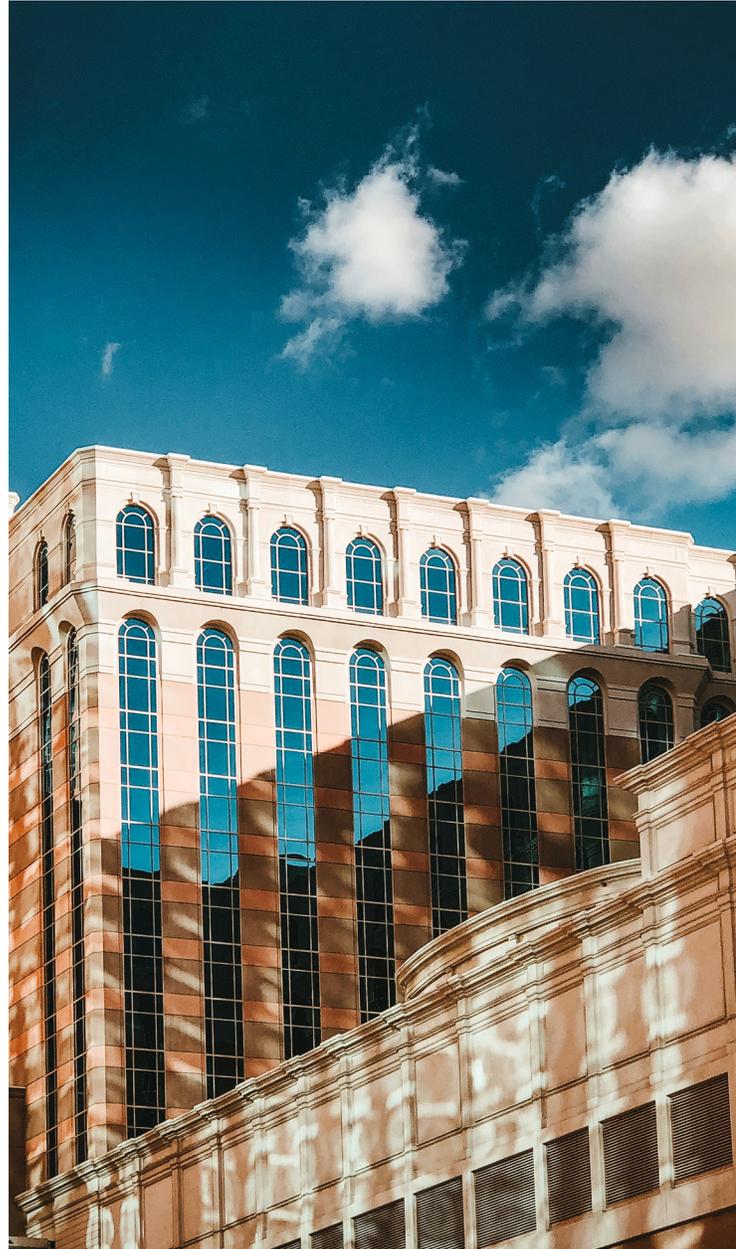
A person commits an offense of human trafficking if the person knowingly (1) harbors another person, intending or knowing that the person will be subjected to involuntary servitude or for the purpose of providing a commercial sex act or (2) benefits financially from participation in a venture that has engaged in human trafficking.⁴²²

TENNESSEE, continued

Tennessee law provides that a corporation may be prosecuted for a violation of the human trafficking laws for an “act or omission constituting a crime under [human trafficking laws] only if an agent of the corporation performs the conduct that is an element of the crime while acting within the scope of the agent’s office or employment and on behalf of the corporation and the commission of the crime was either authorized, requested, commanded, performed or within the scope of the agent’s employment on behalf of the corporation or constituted a pattern of illegal activity that an agent of the company knew or should have known was occurring.”⁴²³ Applicable fines range from \$250,000 to \$350,000.⁴²⁴

Civil Liability

Tennessee law provides that the victim of a human trafficking offense may bring a civil action for actual damages, compensatory damages, punitive damages, injunctive relief, any combination of those, or any other appropriate relief, and will be awarded attorney’s fees and costs if successful.⁴²⁵



TEXAS

Signage Law

Texas does not currently have a law mandating that lodging facilities post human trafficking awareness notices.

However, Texas law requires the holder of a permit or license to sell alcoholic beverages (which could include certain lodging facilities) on or off of the premises to display a sign that meets the following requirements:

- (a) The sign must be at 8½ x 11 inches;
- (b) The sign must be in English (covering approximately 2/3 of the sign) and Spanish (covering approximately 1/3 of the sign);⁴²⁶
- (c) The sign should be displayed in a conspicuous manner clearly visible to the public and employees of the permit or license holder;
- (d) The sign should state the following:⁴²⁷
 WARNING: Obtaining forced labor or services is a crime under Texas Law. Call the National Human Trafficking Hotline: 1-888-373-7888.
 You may remain anonymous.

Training Law

Although training is not mandatory, the Office of the Attorney General of Texas has developed a training video on preventing human trafficking.⁴²⁸ In addition, the Hotel and Lodging Association of Greater Houston provides complimentary human trafficking training specific to the hotel and lodging industry.⁴²⁹

Criminal Liability

Under Texas law, a person who knowingly harbors a victim of human trafficking or benefits financially or by receiving anything of value from facilitating human trafficking can be held criminally liable.⁴³⁰

The definition of “person” in the criminal law includes corporations, associations, limited liability companies and other entities and, consequently, could include businesses such as lodging facilities.⁴³¹

Civil Liability

Texas law provides that a “defendant who engages in the trafficking of persons or who intentionally or knowingly benefits from participating in a venture that traffics another person is liable to the person trafficked . . . for damages arising from the trafficking of that person by the defendant or venture.”⁴³²

Furthermore, if a legal entity is liable, a shareholder or member of such legal entity is “jointly and severally liable with the entity to the person trafficked for damages arising from the trafficking of that person if the person demonstrates that the shareholder or member caused the entity to be used for the purpose of trafficking that person and did traffic that person for the direct personal benefit of the shareholder or member.”⁴³³

HOUSTON, TEXAS

Signage Law

The City of Houston requires that hotels display signs that include a statement that employees must receive annual human trafficking training and information on recognizing and reporting human trafficking and the signs should be in English, Spanish, and any other language spoken by 10% of hotel employees.⁴³⁴

Training Law

Houston law requires a hotel operator to provide at least 20 minutes of annual training to each hotel employee on how to identify human trafficking activities and victims and how to report human trafficking.⁴³⁵ The training must be approved by the mayor's office and must include, but not be limited to, the following:

- (1) An overview of human trafficking, including the experience of its victims, how and why human trafficking takes place in the hospitality industry, and how it is defined under federal law;
- (2) Guidance on how to identify individuals who are most at risk for human trafficking;
- (3) An explanation of the difference between labor and sex trafficking specific to the hotel sector;

- (4) Guidance on the role of hospitality employees in reporting and responding to this issue;
- (5) The contact information of appropriate agencies, including, but not limited to, the National Human Trafficking Hotline toll-free telephone number and text line, and the telephone numbers of the appropriate local law enforcement agencies; and
- (6) If online, the training shall contain a pacing mechanism that requires the trainee to read all course material, view all videos, and complete all coursework before generating a certificate.

Each trainee's completion of the training shall be documented with an attendance sheet or a certificate. The hotel must provide the training to any new employee within 30 days after the employee's hire and must certify each trainee's completion of the program no later than Mar. 31 each year, beginning Mar. 31, 2021.⁴³⁶ A failure to comply with this ordinance is subject to a fine of \$100, with subsequent violations punishable by a fine up to \$500.⁴³⁷

SAN ANTONIO, TEXAS

Signage Law

The City of San Antonio does not currently have an ordinance concerning human trafficking awareness signage in lodging facilities.

Training Law

The City of San Antonio does not currently have an ordinance that requires training employees of lodging facilities concerning human trafficking. However, on the City of San Antonio's website, there are videos in several languages (French, Arabic, Tagalong-Filipino, Spanish, Russian, and German) describing the dangers of human trafficking.⁴³⁸ The website provides an e-mail address and two telephone numbers for the San Antonio Police Department to report human trafficking.

Criminal Liability

San Antonio does not currently have an ordinance concerning the criminal liability of lodging facilities where human trafficking occurs. However, there is a special Human Trafficking Task Force in the District Attorney's Office, tasked with fighting human trafficking.⁴³⁹

Civil Liability

San Antonio does not currently have an ordinance concerning the civil liability of lodging facilities where human trafficking occurs.

UTAH

Signage Law

Utah does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Utah does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Under Utah law, an actor who harbors a victim of human trafficking through the use of force, fraud, or coercion can be held criminally liable.⁴⁴⁰ A violation of this criminal provision is a felony and carries a \$20,000 fine for corporations.⁴⁴¹

The definition of an actor for the purpose of the application of this statute includes public and private corporations, partnerships and unincorporated associations and thus may apply to businesses such as lodging facilities.⁴⁴²

Civil Liability

Utah civil law provides that a victim of human trafficking may bring a civil action against their trafficker, and the court may award actual damages, compensatory damages, punitive damages, injunctive relief, or any other appropriate relief, including treble damages on proof of actual damages if the court finds that the trafficker's acts were willful and malicious.⁴⁴³ A civil cause of action can also arise against a person who benefitted from human trafficking.⁴⁴⁴ As this law applies to the broadly defined "persons," in the event that a business such as a lodging facility is found criminally liable, the business could be held civilly liable the same as a natural person.⁴⁴⁵

VERMONT

Signage Law

Vermont Department of Labor must make available a notice offering help to victims of human trafficking on its website and the notice may be posted in workplaces in accordance with the following:⁴⁴⁶

- (a) The notice can be posted in a prominent and accessible location;
- (b) The notice shall be made available in English, Spanish, and, if requested by an employer, another language;⁴⁴⁷
- (c) The notice will provide contact information for at least one local law enforcement agency and include the following text:⁴⁴⁸

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other activity – call the toll-free National Human Trafficking Resource Center Hotline at 1-888-373- 7888 to access help and services. The toll-free hotline is:

- Available 24 hours a day, 7 days a week
- Operated by a nonprofit, non-governmental organization
- Anonymous and confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information.

Training Law

Vermont does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, Vermont law requires the Vermont Department of Labor to develop and implement an education plan to raise

awareness among Vermont employers about the problem of human trafficking, the related hotline and resources available to employers, employees, and potential victims of human trafficking.⁴⁴⁹

Criminal Liability

Vermont law states that human trafficking includes knowingly harboring, transporting, or obtaining a person under the age of 18,⁴⁵⁰ or a person over 18 through force, fraud or coercion, for the purpose of having the person engage in a commercial sex act.⁴⁵¹ It also includes knowingly “benefit[ting] financially or by receiving anything of value from participation in a venture, knowing that a person will be subject to labor servitude as part of the venture.”⁴⁵² A violation of this criminal provision may result in a fine of not more than \$500,000.⁴⁵³

In addition, an individual or corporation can be prosecuted for knowingly permitting a place, structure, or building owned or controlled by it to be used for the purpose of human trafficking.⁴⁵⁴ A violation of this law may result in a fine of not more than \$100,000.⁴⁵⁵ If a corporation is convicted of human trafficking, the Attorney General can commence a proceeding to dissolve the entity.⁴⁵⁶

Civil Liability

Vermont criminal law provides that a “victim of human trafficking may bring an action against the offender in the Civil Division of the Superior Court for damages, injunctive relief, punitive damages in the case of a willful violation, and reasonable costs and attorney’s fees.”⁴⁵⁷

VIRGINIA

Signage Law

Virginia does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Virginia does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, Virginia requires a Sex Trafficking Response Coordinator in the Department of Criminal Justice Services to promote strategies for the education, training, and awareness of sex trafficking.⁴⁵⁸

Criminal Liability

A person is guilty of commercial sex trafficking if the person solicits, invites, recruits, encourages, or otherwise causes or attempts to cause a person to engage in prostitution with the intent to receive money or to assist another in receiving money from prostitution.⁴⁵⁹

Civil Liability

Any person injured by the above violation may bring a civil action to recover compensatory damages, punitive damages, and reasonable attorney fees and cost.⁴⁶⁰



WASHINGTON

Signage Law

Washington does not currently have a law concerning human trafficking awareness signage in lodging facilities. However, Washington law provides that establishments offering public restrooms (which may include certain lodging facilities) may voluntarily post a sign in restrooms used by the public and employees.⁴⁶¹ The notice may be in multiple languages and include toll-free telephone numbers of organizations providing assistance to victims of human trafficking, including the National Human Trafficking Resource Center and the Washington state office of crime victim advocacy.⁴⁶²

In addition, a proposed bill currently pending in the state legislature would require every operator of a transient accommodation to post in a location conspicuous to employees signage regarding human trafficking awareness, printed in an easily legible font in English and any other language spoken by at least ten percent of the employees.⁴⁶³

Training Law

Washington does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

However, a proposed bill currently pending in the state legislature would require transient accommodation to provide training regarding human trafficking to each of its employees.⁴⁶⁴ The training required under this proposed bill must include, at a minimum, the following:

- The definition of human trafficking, commercial exploitation of children, and the difference between sex trafficking and labor trafficking;
- Content that is culturally responsive and includes information about implicit cultural bias;
- Guidance specific to the public lodging sector concerning how to identify individuals who may be victims of human trafficking including how implicit bias may interfere with the accurate identification of suspected victims of human trafficking;
- Guidance concerning the role of the employees in appropriately responding to suspected human trafficking, and the potential harms of involving law enforcement without the consent of the suspected victims; and
- The contact information of appropriate agencies, including a national human trafficking hotline telephone number and the telephone numbers of appropriate local law enforcement agencies.⁴⁶⁵

Moreover, the Washington Hospitality Association is partnering with Businesses Ending Slavery and Trafficking (BEST), a nonprofit organization in the United States dedicated to working with businesses to disrupt human trafficking, to provide free human trafficking training for Washington Hospitality Association members and staff.⁴⁶⁶

WASHINGTON, continued

Criminal Liability

Washington law provides that a person is guilty of trafficking (a class A felony) when such person harbors another person knowing, or in reckless disregard of the fact, that force, fraud, or coercion will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act, or benefits financially from participation in a venture that has engaged in such acts.⁴⁶⁷ In addition, a “person,” including a corporation,⁴⁶⁸ can be prosecuted for financially benefitting or receiving anything of value from participation in a venture that has engaged in human trafficking.⁴⁶⁹

Civil Liability

Washington does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



WEST VIRGINIA

Signage Law

West Virginia requires hotels to post a notice to assist victims of human trafficking to obtain help and services, in accordance with the following requirements:⁴⁷⁰

- (a) The notice must be printed in English, Spanish, and any other language determined by legislative rule by the Director of the Division of Administrative Services;
- (b) The notice must be posted in public restrooms and either near the entrance or another clearly visible location where public notices are posted;⁴⁷¹
- (c) The Director is required to provide hyperlinks on the Division's website to downloadable notices that are 8½ x 11 inches in size and provide information regarding the National Human Trafficking Resource Center and display the telephone number for the National Human Trafficking Center hotline.⁴⁷²

The law further provides that any law enforcement officer, representative for the Bureau for Public Health or of a county health department representative of the State Alcohol Beverage Control Commissioner, representative of the Division of Labor, or other state representative inspecting a hotel or otherwise acting under state authority may notify any hotel in writing that it failed to comply with this statute. Failing to correct the violation within 30 days of receipt of the written notice constitutes a misdemeanor. First convictions carry a fine of \$250, and subsequent convictions carry fines between \$250 and \$500.⁴⁷³

Training Law

West Virginia does not currently have a law that requires training employees concerning human trafficking in lodging facilities.

Criminal Liability

West Virginia makes it a felony for any person (defined to include a business) to knowingly and willingly traffic (defined to include harboring) (i) an adult, resulting in imprisonment for 3-15 years and/or a fine of up to \$200,000, or (ii) a minor, resulting in imprisonment of 5–20 years and/ or a fine of up to \$300,000.⁴⁷⁴ Additionally, West Virginia declares all property which is directly or indirectly used or intended for use in any manner to facilitate a violation of Article 14 (Human Trafficking) to be contraband, subject to forfeiture, to which no person shall have a property interest, and any business entity convicted of such violation shall be debarred from state or local government contracts.⁴⁷⁵

Civil Liability

West Virginia does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.

WISCONSIN

Signage Law

Wisconsin requires its Department of Justice to design a poster, or obtain a predesigned poster, that provides information regarding a human trafficking resource center hotline. The poster shall be in English and Spanish and any other language required under federal law for voting materials in a particular county. The law states that the Department of Justice shall make the poster available to others to print from its website and encourage hotels, among other establishments, to display the poster.⁴⁷⁶

Compliance with this law is not mandatory and there are no penalties for failing to display the poster.⁴⁷⁷

Training Law

Wisconsin does not currently have a law that requires training employees of lodging facilities concerning human trafficking. However, the Wisconsin Department of Justice provides free and voluntary training material.⁴⁷⁸

Criminal Liability

Wisconsin law defines human trafficking, in part, as harboring or transporting, or attempting to harbor or transport, an individual.⁴⁷⁹ In addition, a “person” including a corporation, can be prosecuted for benefitting from the human trafficking of an individual if they knew or reasonably should have known that the benefits came from a human trafficking scheme.⁴⁸⁰ Violation of human trafficking law is a ground for the administrative dissolution of a corporation.⁴⁸¹

Civil Liability

Any person who incurs an injury or death by virtue of a violation of the human trafficking criminal law may bring a civil action against the person who committed the violation, including actual damages, punitive damages, and reasonable attorney fees. Wisconsin law defines “person” to include all partnerships, associations, and bodies politic or corporate. Thus, liability could extend to businesses such as lodging facilities.⁴⁸²

WYOMING

Signage Law

Wyoming does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

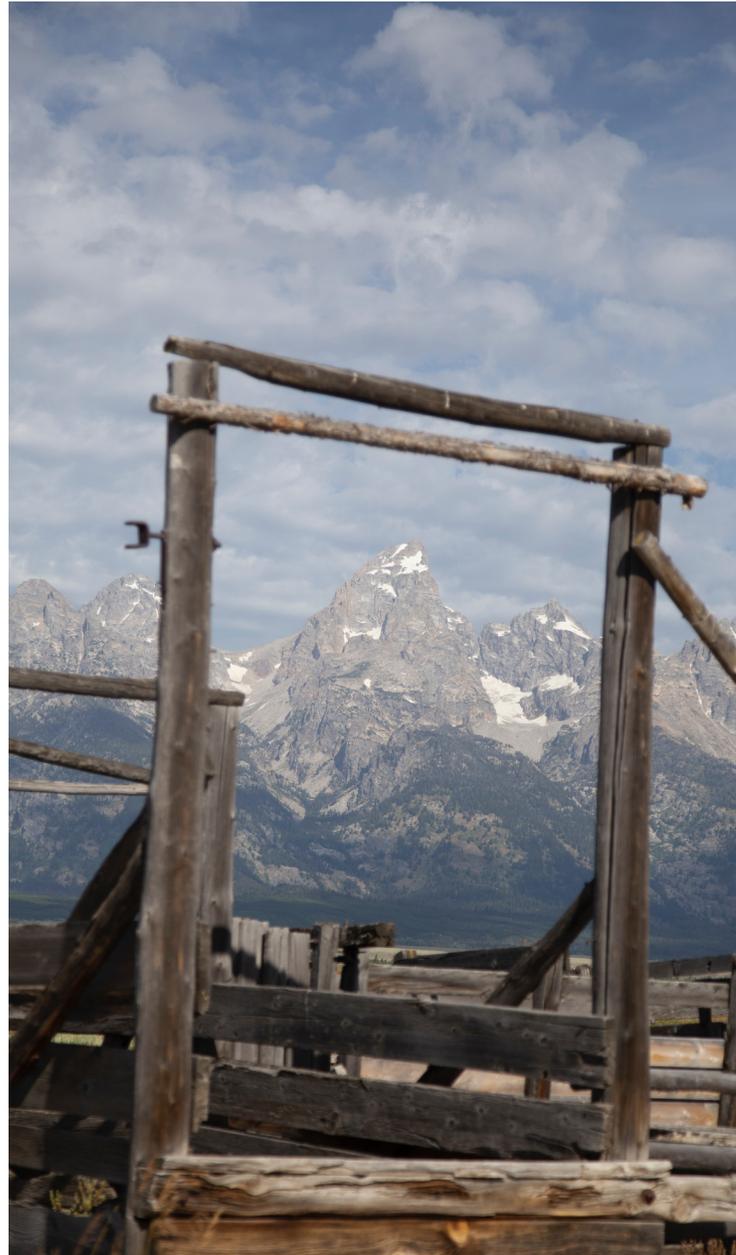
Wyoming does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

Wyoming law makes it a felony for a person (defined to include a partnership, corporation or other association or entity) to harbor an individual for the purpose of forced labor or sexual servitude, punishable by various terms of imprisonment and fines depending on which provision is violated.⁴⁸³ Additionally, Wyoming law makes subject to forfeiture all buildings knowingly used or intended to be used to further human trafficking if the owner has knowledge of or gives consent to the act of violation.⁴⁸⁴

Civil Liability

Wyoming does not currently have a law concerning the civil liability of lodging facilities where human trafficking occurs.



WASHINGTON, D.C.

Signage Law

The District of Columbia does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

The District of Columbia does not currently have a law that requires training employees of lodging facilities concerning human trafficking.

Criminal Liability

YesThe District of Columbia makes it unlawful for a business to harbor a person knowing, or in reckless disregard of the fact, that the coercion will be, or is being, used to cause the person to provide labor or services or engage in a commercial sex act.⁴⁸⁵ Similarly, it is unlawful for a business to knowingly or recklessly harbor a person under eighteen years old who will engage in a commercial sex.⁴⁸⁶ The District of Columbia also makes it unlawful for a business knowingly to benefit, financially, or to participate, knowingly or recklessly in a venture that violates the human trafficking laws.⁴⁸⁷ The penalties for such violations are fines calculated under various formulas set forth in the statute and/or imprisonment for not more than twenty years.⁴⁸⁸ In addition to any sentence imposed, the business must forfeit to the District of Columbia any property that was used or intended to be used to commit or facilitate the commission of the violation and any property constituting or derived from any proceeds that the business obtained as a result of the violation.⁴⁸⁹

Civil Liability

The District of Columbia does not currently have a law addressing the issue of civil liability concerning human trafficking in lodging facilities. However, an individual who is a victim of human trafficking may bring a civil action for damages (including actual, compensatory, and punitive damages), injunctive relief, and any other appropriate relief.⁴⁹⁰



PUERTO RICO

Signage Law

Puerto Rico does not currently have a law concerning human trafficking awareness signage in lodging facilities.

Training Law

Puerto Rico does not currently have a law that requires training employees of lodging facilities concerning human trafficking. The Department of Education and the Department of the Family are empowered and designated as the government entities in charge of joining efforts to educate, inform, and raise awareness of human trafficking prevention and the effects thereof in Puerto Rico through fairs, workshops, seminars, presentations, and prevention programs.⁴⁹¹

Criminal Liability

Puerto Rico criminalizes the promotion or enabling of entry or exit from the Commonwealth of Puerto Rico of another person, even with the consent of said, person, for the practice of prostitution.⁴⁹² The statutory definition of “person” includes “natural and juridical person,” therefore, it would be theoretically possible for a business to be held liable under the statute.⁴⁹³ However, the phrasing of the criminal provision suggests that active participation in the trafficking by a principal of the business, would likely have to be established to assign criminal responsibility.⁴⁹⁴

Civil Liability

Puerto Rico does not currently have a law addressing the issue of civil liability concerning human trafficking in lodging facilities.

GUAM

Signage Law

The government of Guam is statutorily tasked with creating a public awareness program, including posters containing information for victims, that corporations can access and utilize voluntarily.⁴⁹⁵ The law does not specify the specifications of the postings.

Training Law

As explained above, the government of Guam is tasked with creating a public awareness campaign, including methods for reporting suspected recruitment activities.⁴⁹⁶ These resources are available for individuals and corporations to access on a voluntary basis.

Criminal Liability

Guam criminal law defines trafficking in persons as including, in part, harboring or transporting another person knowing that the person will be subject to sexual servitude.⁴⁹⁷ In addition, a person or corporation can be prosecuted for trafficking in persons by benefiting financially or by receiving anything of value from participation in a trafficking venture.⁴⁹⁸

The Guam Human Trafficking provision explicitly provides that a business entity can be held criminally liable for aiding or participating a trafficking venture.⁴⁹⁹ As a penalty, the court can order the business’s dissolution or reorganization, the suspension or revocation of any license or permit, or the suspension of the charter.⁵⁰⁰

Civil Liability

An individual who is a victim of trafficking may bring a civil action against those who engaged in the scheme for actual damages, compensatory damages, punitive damages, injunctive relief, and any other appropriate relief.⁵⁰¹

Endnotes

- ¹ Businesses can be declared a nuisance for “advancing” prostitution, defined in part as “knowingly causes or aids a person to commit or engage in prostitution,” or for “profiting from” prostitution, defined in part as “receiv[ing] or accept[ing] money or other thing of value pursuant to a prior agreement with any person whereby he or she participates or is to participate in the proceeds of prostitution activity.” ALA. CODE § 13-A-12-110—22.
- ² *Id.* § 13A-6-170(a).
- ³ ALA. CODE § 13A-6-170(a).
- ⁴ *Id.* Posters are available here: https://labor.alabama.gov/docs/doc_type.aspx?id=2
- ⁵ *Id.*
- ⁶ ALA. CODE § 13A-6-170(f). In March 2020, a Bill was introduced into the Alabama House of Representatives to increase the penalty for a subsequent violation to \$250. This amendment was referred to the House Judiciary Committee on March 10, 2020. See 2020 AL H.B. 422.
- ⁷ “Person” means “a human being, and where appropriate, a public or private corporation, an unincorporated association, a partnership, a government, or a governmental instrumentality.” ALA. CODE § 13A-1-2(11).
- ⁸ *Id.* § 13A-6-152.
- ⁹ *Id.* § 13A-6-153.
- ¹⁰ *Id.* § 13A-5-11.
- ¹¹ *Id.* § 13A-6-156.
- ¹² *Id.* § 13A-6-157.1.
- ¹³ *Id.* § 13A-6-157.1. In March 2020, a Bill was introduced into the Alabama House of Representatives that would allow a court to appoint a master or receiver to seize the assets of a legal entity pending the outcome of a civil action brought by the Attorney General under certain specific conditions. This amendment was referred to the House Judiciary Committee on March 10, 2020. See 2020 AL H.B. 422.
- ¹⁴ ALA. CODE § 13A-6-157
- ¹⁵ See *E.H. v. Overlook Mountain Lodge*, 638 So. 2d 781, 784 (Ala. 1994).
- ¹⁶ “Person” includes a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person. ALASKA STAT. § 01.10.060(8).
- ¹⁷ *Id.* § 11.41.365. A person commits the crime of human trafficking in the first degree if the person compels or induces another person to engage in sexual conduct, adult entertainment, or labor in the state by force or threat of force against any person, or by deception. *Id.* § 11.41.360.
- ¹⁸ *Id.* § 12.55.035.
- ¹⁹ ALASKA STAT. § 11.66.130.
- ²⁰ See 2019 AK S.B. 165. / 2019 AK H.B. 225. The Proposed legislation was submitted to both the House and the Senate at the Request of the Governor. The bill was referred to the Senate State Affairs Committee on January 27, 2020 and was held in committee on March 3, 2020; the house bill was referred to the State Affairs Committee and held in committee on February 2, 2020.
- ²¹ ANCHORAGE, ALASKA CODE OF ORDINANCES § 16.90.050 (Posting anti-human trafficking information).
- ²² *Id.* §14.60.030.

Endnotes

- ²³ “Person” means a human being and, as the context requires, an enterprise, a public or private corporation, an unincorporated association, a partnership, a firm, a society, a government, a governmental authority or an individual or entity capable of holding a legal or beneficial interest in property. Ariz. Rev. Stat. Ann. § 13-105(30).
- ²⁴ *Id.* §§ 13-1306 (unlawfully obtaining labor or services); 13-1307 (sex trafficking); 13-1308 (trafficking of persons for forced labor or services); 13-3212 (child sex trafficking).
- ²⁵ *Id.* § 13-803 (fines against enterprises).
- ²⁶ *Id.* § 13-823 (dangerous and repeat enterprise offenders).
- ²⁷ *Id.* § 13-822(A) (effective programs to prevent and detect violations of law)
- ²⁸ *Id.* § 13-822(B) (effective programs to prevent and detect violations of law).
- ²⁹ *Stop Human Trafficking: Human Trafficking Is Happening Here in Arizona*, <https://www.phoenix.gov/district2site/Documents/d2finalhtflyerforposting.pdf>.
- ³⁰ *About Us*, SAFE ACTION PROJECT, <https://safeactionproject.org/about/>.
- ³¹ <https://www.sacasa.org/resources/human-trafficking/>
- ³² ARK. CODE ANN. § 20-27-401.
- ³³ *Id.* § 12-19-102(a).
- ³⁴ *Id.* § 12-19-102(b)(2).
- ³⁵ *Id.* § 12-19-102(b)(1).
- ³⁶ *Id.* § 12-19-102(c-d).
- ³⁷ *Id.* § 12-19-102(e-f).
- ³⁸ *Id.* § 5-1-102(13) (defining “person” as including an “organization,” when appropriate); *id.* § 5-2-501 (defining an “organization” as a “corporation, company, association, firm, partnership, or joint-stock company” or “[a]ny other group of persons organized for any purpose.”)
- ³⁹ *Id.* § 5-18-103.
- ⁴⁰ *Id.* § 5-18-103(a). This list is non-exhaustive; please see the statute for a comprehensive list of the ways by which a person or organization might engage in human trafficking.
- ⁴¹ *Id.* § 5-18-103(c)(1); *id.* § 5-4-201(a)(1).
- ⁴² *Id.* § 5-18-103(c)(2); *id.* § 5-4-201(a)(3).
- ⁴³ *Id.* § 5-18-105.
- ⁴⁴ As defined in § 24045.12(b) of the Business and Professional Code, not including personal residences.
- ⁴⁵ *Id.* § 52.6(c).
- ⁴⁶ CAL. CIV. CODE § 52.6.
- ⁴⁷ *Id.* § 52.6(b).
- ⁴⁸ *Id.*
- ⁴⁹ *Id.* § 52.6(e).
- ⁵⁰ *Id.* § 52.6(f).
- ⁵¹ CAL. PENAL CODE §§ 236.3; 11225(b).
- ⁵² *Id.* § 236.7.
- ⁵³ Designated authorities include the Los Angeles County Sheriff's Department, Lancaster Station, and the Lancaster Public Safety Department.

Endnotes

- ⁵⁴ LANCASTER, CA. ORDINANCES § 9.50.040. The ordinance provides that indicators of human trafficking may include (i) attempting to rent a room for less than twelve (12) hours, or leaving after only a few hours; (ii) paying with cash to avoid a paper trail; (iii) attempting to rent a room without presenting valid identification; (iv) reserving multiple rooms at once; (v) reserving a room for extended periods of time, but bringing few or no possessions; (vi) a guest who appears malnourished or physically abused; (vii) a guest who is dressed inappropriately for his/her age; and (viii); frequent guests coming and going.
- ⁵⁵ *Id.* § 9.50.030.
- ⁵⁶ *Id.* § 9.50.050.
- ⁵⁷ *Id.* § 9.50.060.
- ⁵⁸ *Id.* §§ 1.12.020; 9.50.070; 9.50.030.
- ⁵⁹ LONG BEACH, CA. ORDINANCES §5.57.30.
- ⁶⁰ *Id.* § 5.57.30.
- ⁶¹ <https://hotelassociationla.com/human-trafficking-training/>
- ⁶² <https://www.sandiego.gov/sites/default/files/legacy/human-relations/pdf/humantrafficking/sb1193.pdf>
- ⁶³ *Id.*
- ⁶⁴ COLO. REV. STAT. §§ 18-3-505(1)(a), (4)(e).
- ⁶⁵ *Id.* § 18-3-505(6).
- ⁶⁶ *Id.*
- ⁶⁷ *Id.* § 2-4-401(8).
- ⁶⁸ *Id.* § 18-3-504(1)(a).
- ⁶⁹ *Id.* §§ 18-3-504(1)(b), (2)(b); *id.* § 18-1.3-401 (detailing penalties for felonies).
- ⁷⁰ *Id.* § 13-21-127(a).
- ⁷¹ *Id.* § 13-21-127(b).
- ⁷² CONN. GEN. STAT. §§ 54-222; 54-234(a).
- ⁷³ *Id.* § 54-222(a).
- ⁷⁴ *Id.*
- ⁷⁵ *Id.* § 54-234a(c).
- ⁷⁶ *Id.* §44-5.
- ⁷⁷ *Id.* § 17a-106g.
- ⁷⁸ *Id.* § 44-5.
- ⁷⁹ *Id.*
- ⁸⁰ *Id.* § 53a-192a. A bill proposed in 2020 would repeal this section of the statute and replace it with a new statute that adds “knowingly” to the definition of sex trafficking. See 2020 CT H.B. 5502.
- ⁸¹ *Id.* § 53a-192a(b).
- ⁸² *Id.* § 53a-41 (Fines for felonies).
- ⁸³ *Id.* § 52-571i
- ⁸⁴ These locations include: adult entertainment facilities, entities found to be maintaining a criminal nuisance involving prostitution, job recruitment centers, hospitals, and emergency care providers. For the statutory definition of a criminal nuisance, see *id.* § 7104.
- ⁸⁵ 11 DEL. LAWS § 787(k). The downloadable poster and other resources are available at <https://dhss.delaware.gov/dhss/admin/humantrafinteragcouncil.html>.

Endnotes

⁸⁶ *Id.* § 787(l)(3).

⁸⁷ *Id.* § 787(b). This list is non-exhaustive; please see the statute for a comprehensive list of the ways by which a person or organization might engage in human trafficking.

⁸⁸ *Id.* § 281 (Criminal liability of organizations).

⁸⁹ *Id.* § 787(c) .

⁹⁰ *Id.* § 787(i).

⁹¹ *Id.* §§ 787(c)(1), 281. The statute specifies that a victim may bring civil action against a “person.” Delaware Code, however, defines “person” to include (among other things) corporations, companies, and partnerships, where “appropriate.”¹ *Id.* § 222.

⁹² *Id.* § 787(i)(1).

⁹³ *Id.* § 787(i)(2).

⁹⁴ *Id.* § 787(i)(3).

⁹⁵ FLA. STAT. § 509.096(1)(c).

⁹⁶ *Id.*

⁹⁷ *Id.* § 509.096(3).

⁹⁸ *Id.* § 509.096(1)(a).

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.* § 509.096(1)(b).

¹⁰² *Id.* § 509.096(2).

¹⁰³ *Id.* § 509.096(3).

¹⁰⁴ *Id.* § 787.06(2)(d).

¹⁰⁵ *Id.* § 787.06(3). Though this statute states that a “person” may be liable for this conduct, Florida’s definition of “person” includes firms, associations, corporations, and “all other groups or combinations.” *Id.* §1.01(3).

¹⁰⁶ *Id.* § 787.06(3).

¹⁰⁷ *Id.* § 775.083(1)(b).

¹⁰⁸ *Id.* § 787.06(7).

¹⁰⁹ FLA. STAT. §772.104 (requiring proof by clear and convincing evidence).

¹¹⁰ JACKSONVILLE, FL. ORDINANCES tit. VI, ch. 250, § 250.125.

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ § 509.096.*Id.*

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ Defined as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rental. MIAMI BEACH, FL. ORDINANCES § 18-3(1)(b).

¹¹⁷ *Id.*

¹¹⁸ *Id.* § 18-3(1).

¹¹⁹ *Id.* § 18-3(3).

Endnotes

- ¹²⁰ Defined as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rental. MIAMI LAKES, FL. ORDINANCES § 13-799.8(1).
- ¹²¹ *Id.*
- ¹²² *Id.* § 13-799.8(2).
- ¹²³ *Id.* § 13-799.8(4).
- ¹²⁴ GA. CODE ANN. § 16-5-47.
- ¹²⁵ GA. CODE ANN. § 16-5-47(b).
- ¹²⁶ GA. CODE ANN. § 16-5-47(c).
- ¹²⁷ GA. CODE ANN. § 16-5-47(c).
- ¹²⁸ This model notice is available on the Georgia Bureau of Investigations' website at <https://gbi.georgia.gov/press-releases/2018-07-02/gbi-announces-2018-human-trafficking-notice-website-posting>.
- ¹²⁹ GA. CODE ANN. § 16-5-47(d)(1).
- ¹³⁰ This Commission was created to specifically combat the threat of human trafficking in Georgia. The training materials are available at <https://gov.georgia.gov/first-lady/grace-commission>.
- ¹³¹ GA. CODE ANN. § 16-5-46(c)(2).
- ¹³² GA. CODE ANN. § 1-3-3(14).
- ¹³³ GA. CODE ANN. § 16-5-46(c)(3).
- ¹³⁴ GA. CODE ANN. § 16-5-46(j).
- ¹³⁵ GA. CODE ANN. § 16-5-46(f).
- ¹³⁶ FULTON COUNTY, GA. ORDINANCES § 46-32.
- ¹³⁷ *Id.*
- ¹³⁸ *Id.*
- ¹³⁹ HAPEVILLE, GEORGIA ORDINANCES § 26-2-41.
- ¹⁴⁰ HAW. REV. STAT. §§ 371-20(b); 281-31 (defining employers that need a liquor or cabaret license)
- ¹⁴¹ HAW. REV. STAT. § 371-20(e)
- ¹⁴² H.R. 2429, 30th Leg. (Haw. 2020). The bill was introduced to Hawaii's House of Representatives in January 2020 and was referred to the Committee on Tourism and International Affairs and the Committee on Labor and Public Employment. In February 2020, the Committees recommended deferring the measure. For more information on the text and status of the bill, please see www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2429&year=2020.
- ¹⁴³ H.R. 2429, 30th Leg. (Haw. 2020).
- ¹⁴⁴ H.R. 2429, 30th Leg. (Haw. 2020).
- ¹⁴⁵ HAW. REV. STAT. § 712-1202(1)(b).
- ¹⁴⁶ HAW. REV. STAT. § 712-1201(1) (defining "advances prostitution").
- ¹⁴⁷ HAW. REV. STAT. § 712-1202(2).
- ¹⁴⁸ HAW. REV. STAT. § 701-118 (defining "person" as including a corporation); HAW. REV. STAT. § 706-640 (authorizing fines for class A felonies).
- ¹⁴⁹ IDAHO CODE § 18-8602(1)(a)(ii).
- ¹⁵⁰ IDAHO CODE § 18-101(7) (defining "person" as including corporations); IDAHO CODE § 18-112A (outlining authorized fines for felonies).

Endnotes

- ¹⁵¹ 775 ILL. COMP. STAT. 50/5(c).
- ¹⁵² 775 ILL. COMP. STAT. 50/10.
- ¹⁵³ 775 ILL. COMP. STAT. 50/10.
- ¹⁵⁴ 775 ILL. COMP. STAT. 50/15. Model notices are accessible at <https://www.dhs.state.il.us/page.aspx?item=82023>.
- ¹⁵⁵ 775 ILL. COMP. STAT. 50/20(a).
- ¹⁵⁶ 820 ILL. COMP. STAT. 95/10.
- ¹⁵⁷ 820 ILL. COMP. STAT. 95/10.
- ¹⁵⁸ 820 ILL. COMP. STAT. 95/10.
- ¹⁵⁹ 820 ILL. COMP. STAT. 95/15(a).
- ¹⁶⁰ 820 ILL. COMP. STAT. 95/15(b). For Illinois' Department of Human Services training program, please refer to its website at <https://www.dhs.state.il.us/page.aspx?item=124138>.
- ¹⁶¹ 820 ILL. COMP. STAT. 95/15(b).
- ¹⁶² 720 ILL. COMP. STAT. 5/11-14.3 (establishing penalties for promoting prostitution or trafficking); 820 ILL. COMP. STAT. 5/11-0.1 (defining "advance prostitution").
- ¹⁶³ 720 ILL. COMP. STAT. 5/11-0.1.
- ¹⁶⁴ 740 ILL. COMP. STAT. 128/15.
- ¹⁶⁵ 740 ILL. COMP. STAT. 128/15(c).
- ¹⁶⁶ <https://www.cookcountytaskforce.org/task-force-outreach-materials>
- ¹⁶⁷ <https://www.chicagocac.org/what-we-do/outreach-education/training/human-trafficking-identify-work-victims-survivors/>
- ¹⁶⁸ IOWA CODE § 710A.6.
- ¹⁶⁹ *Id.* § 80.45A(2).
- ¹⁷⁰ H.F. 2259 § 80.45A.3.
- ¹⁷¹ *Id.* § 80.45A(4).
- ¹⁷² *Id.* § 80.45A(5)(c).
- ¹⁷³ *Id.* § 703.5(1) (defining "person" as including a corporation).
- ¹⁷⁴ *Id.* § 710A.1(4)(a).
- ¹⁷⁵ *Id.* § 710A.2(1).
- ¹⁷⁶ *Id.* § 710A.2(7).
- ¹⁷⁷ *Id.* § 902.9(1)(e).
- ¹⁷⁸ *Id.* § 902.9(1)(d).
- ¹⁷⁹ See KAN. STAT. ANN. §75-759 (mandating the notices be posted in sexually oriented businesses, massage parlors, health care facilities, convenience stores and truck stops, and rest areas and visitors centers under state supervision or control). The sign is accessible at https://ag.ks.gov/docs/default-source/publications/human-trafficking-poster.pdf?sfvrsn=5161c61a_6.
- ¹⁸⁰ *Id.* § 75-759(d). The training is accessible at <https://www.dol.ks.gov/home/stop-human-trafficking/human-trafficking-publications>. Kansas does require training in human trafficking identification and prevention for commercial driver's license holders.
- ¹⁸¹ *Id.* § 21-5111(t) (defining "person" for statutory purposes as including corporations).

Endnotes

¹⁸² *Id.* § 21-5426(a)(2).

¹⁸³ *Id.* § 21-5426(b)(4).

¹⁸⁴ *Id.* §21-5426(c)(1-4); 21-6611(a)(2)(authorizing fines for felonies).

¹⁸⁵ *Id.* § 21-6422(a)(2).

¹⁸⁶ *Id.* § 60-5003(a).

¹⁸⁷ The trainings are available at “See Something – Say Something – Save a Life!”

¹⁸⁸ KY. REV. STAT. ANN. § 500.080(12) (defining “person” as including corporations).

¹⁸⁹ *Id.* § 529.110(1)(a).

¹⁹⁰ *Id.* § 502.050(1) (Corporate liability).

¹⁹¹ *Id.* § 534.050 (Fines against Corporations).

¹⁹² *Id.* § 431.082(1)-(4).

¹⁹³ “Hotel” is defined in the statute as “any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guest and does not encompass any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their family.” The term “hotel” does not include bed and breakfasts or camp and retreat facilities owned and operated by nonprofit organizations. LA. STAT. ANN. § 15:541.1(A)(5).

¹⁹⁴ *Id.* § 15:541.1(B)(1)-(2).

¹⁹⁵ *Id.* § 15:541.1(B)(1)(a)

¹⁹⁶ *Id.* § 15:541.1(D)(1-3).

¹⁹⁷ *Id.* § 26.96(A).

¹⁹⁸ *Id.* § 46:2161(A)(4).

¹⁹⁹ *Id.* § 14:46.2.A.(1)(a).

²⁰⁰ *Id.* § 14:46.2.A.(2)-(3).

²⁰¹ *Id.* § 14:2(A)(7).

²⁰² *Id.* § 15:539.1(A).

²⁰³ *Id.* §14:46.2(B)(4)(a).

²⁰⁴ *Id.* § 46:2163.

²⁰⁵ <http://www.nolatrafficking.org/research> and <http://www.nolatrafficking.org/training>

²⁰⁶ The law is only applicable to lodging places that are licensed under title 22, section 562 of the Maine Revised Statutes. ME. STAT. tit. 26 § 879 (3)(D).

²⁰⁷ ME. STAT. tit. 26 § 879.

²⁰⁸ *Id.* § 879 3(D).

²⁰⁹ ME. STAT. tit. 17-A §§ 851; 853.

²¹⁰ *Id.* § 60.

²¹¹ ME. STAT. tit. 5 § 4701(2).

²¹² *Id.* § 4701(4).

²¹³ ME. STAT. tit. 15 § 5821.

²¹⁴ MD. CODE BUS. REG. § 15-207.

²¹⁵ *Id.* § 15-201.

Endnotes

²¹⁶ *Id.*

²¹⁷ *Id.* §15-207.

²¹⁸ MD. CODE TRANSP. § 16-807.2.

²¹⁹ MD. CODE CRIM. LAW § 1-101(h)(defining “person” in criminal statutes as including corporations).

²²⁰ *Id.* § 3-1102(a)(1)(ii).

²²¹ *Id.* § 3-1102(e).

²²² *Id.* § 11-307.

²²³ MD. CODE CRIM. PROC. § 13-502(3).

²²⁴ *Id.* § 3-1102(c)(1)-(2).

²²⁵ *Id.* § 3-1102(e)(1)-(2).

²²⁶ *Id.* § 42-2(b)(2)

²²⁷ BALTIMORE, BALTIMORE CITY CODE art. 15, § 42-2.

²²⁸ *Id.* § 42-2(d)

²²⁹ *Id.* § 42-8.

²³⁰ *Id.* § 10-6(a).

²³¹ *Id.* § 10-6(c). Training for the hospitality industry is available at <https://health.baltimorecity.gov/prevent-human-trafficking-hospitality-industry> .

²³² *Id.* § 10-9.

²³³ PRINCE GEORGE'S COUNTY, MD. ORDINANCES § 5-171.01.

²³⁴ *Id.* § 5-171.01(d).

²³⁵ *Id.* § 5-172(a).

²³⁶ *Id.* § 14-191(a)(5).

²³⁷ *Id.* §14-193(b).

²³⁸ *Id.*

²³⁹ Human Trafficking Division Resources available at <https://www.mass.gov/service-details/human-trafficking-division-resources>. A proposed bill currently pending in the Senate Judiciary Committee would require businesses, including hotels, determined to be a public nuisances to post the notice. See 2019 Mass. S.B. 992.

²⁴⁰ H.B. 215, 191st Sess. (Mass. 2020).

²⁴¹ *Id.*

²⁴² MASS. GEN. LAWS ch. 265 § 50.

²⁴³ *Id.* § 56(a)(iv).

²⁴⁴ *Id.* § 50(c).

²⁴⁵ *Id.* §50(d).

²⁴⁶ MASS. GEN. LAWS ch. 260 § 4D(a).

²⁴⁷ MICH. COMP. LAWS § 752.1033(4)(a).

²⁴⁸ *Id.* § 752.1035.

²⁴⁹ *Id.*

²⁵⁰ *Id.* § 752.1039.

²⁵¹ www.michigan.gov/lara

²⁵² www.michigan.gov/ag/0,4534,7-359-82917_81399---,00.html

Endnotes

- ²⁵³ *Id.* §§ 750.462b; 750.462e (sexual trafficking of minors)
- ²⁵⁴ *Id.* § 750.159f (defining “person” has including corporations).
- ²⁵⁵ *Id.* § 750.462d(b).
- ²⁵⁶ *Id.* § 752.983.
- ²⁵⁷ MINN. STAT. § 157.177(2)(d).
- ²⁵⁸ *Id.* § 157.177(5). Request for the training materials can be made here:
<https://www.health.state.mn.us/hoteltrafficking>.
- ²⁵⁹ *Id.* § 157.177 (e).
- ²⁶⁰ *Id.* at Subd. 4.
- ²⁶¹ *Id.* § 609.284 (stating that corporations can be held liable for labor or sex trafficking crimes).
- ²⁶² *Id.* § 609.322(1)(a)(3).
- ²⁶³ *Id.*
- ²⁶⁴ *Id.* § 609.284(3) (outlining potential remedies in the event of corporate liability).
- ²⁶⁵ *Id.* § 157.177(4).
- ²⁶⁶ ALBERT LEA, MINN. ORDINANCES art. 3 § 22-69 (Dec. 19, 2019).
- ²⁶⁷ *Id.* § 22-70.
- ²⁶⁸ MINNEAPOLIS, MINN. ORDINANCES tit. 13, ch. 297, §§ 297.100; -110.
- ²⁶⁹ MISS. CODE ANN. § 97-3-54.1(1)(a)-(c).
- ²⁷⁰ *Id.*
- ²⁷¹ *Id.* § 97-3-54.1(3).
- ²⁷² *Id.*
- ²⁷³ *Id.*
- ²⁷⁴ *Id.*
- ²⁷⁵ *Id.* § 97-3-54.1(4).
- ²⁷⁶ MO. REV. STAT. § 595.120. A copy of the poster can be found at <http://dps.mo.gov/human-trafficking/pdf/stop-human-trafficking-poster.pdf>
- ²⁷⁷ *Id.*
- ²⁷⁸ *Id.*
- ²⁷⁹ Resources available at <https://ago.mo.gov/home/human-trafficking/resources/anti-trafficking-organizations-and-resources>
- ²⁸⁰ *Id.* §§ 566.209(1) (Trafficking for the purpose of sexual exploitation); 566.210(1) (Sexual trafficking of a child).
- ²⁸¹ *Id.*
- ²⁸² MONT. CODE ANN. § 44-4-1501.
- ²⁸³ *Id.* § 44-4-1501(2)(b).
- ²⁸⁴ *Id.* § 60-2-244.
- ²⁸⁵ The training resources are available at <https://dojmt.gov/agooffice/human-trafficking/#:~:text=Attorney%20General%20Tim%20Fox%2C%20in,target%20the%20customers%20of%20child>
- ²⁸⁶ H.B. 749, 66th Sess. (Mo. 2019). See also <https://dojmt.gov/montana-doj-hires-human-trafficking-enforcement-team/>

Endnotes

- ²⁸⁷ MONT. CODE ANN. § 45-5-702(1)(a).
- ²⁸⁸ *Id.* § 1-1-201(1)(b) (defining “person” as including corporations and other business entities).
- ²⁸⁹ *Id.* § 45-5-702(1)(b).
- ²⁹⁰ *Id.* § 45-5-707.
- ²⁹¹ *Id.* § 45-5-702(2)(a).
- ²⁹² *Id.* § 27-1-755.
- ²⁹³ *Id.*
- ²⁹⁴ *Id.*
- ²⁹⁵ *Id.* § 81-1430.
- ²⁹⁶ The training resources are available at <https://ago.nebraska.gov/identifying-trafficking-0>
- ²⁹⁷ NEB. REV. STAT. §§ 28-830(11); 28-830(12) (Human Trafficking of a Minor).
- ²⁹⁸ *Id.* § 28-807(12) (defining “person” as including, in part, a corporation, partnership, limited liability company, association, or any other legal entity.)
- ²⁹⁹ *Id.* § 28-831(3).
- ³⁰⁰ *Id.* § 25-21299.
- ³⁰¹ Resources are available at http://ag.nv.gov/Human_Trafficking/HT_Home/
- ³⁰² NEV. REV. STAT. §§ 201.300(1)(Pandering and Sex Trafficking of a Child); 201.300(2) (Pandering and Sex Trafficking).
- ³⁰³ *Id.* §§ 49.25425; 200.463.
- ³⁰⁴ *Id.* § 193.0205.
- ³⁰⁵ *Id.* § 201.300(a)(5).
- ³⁰⁶ *Id.* § 201.300(b).
- ³⁰⁷ *Id.* § 41.1399.
- ³⁰⁸ Training resources are available at <https://www.nhhumantraffickingtaskforce.com/training>
- ³⁰⁹ N.H. REV. STAT. ANN. § 633.7.
- ³¹⁰ *Id.* § 625:11.
- ³¹¹ *Id.* § 651:2(IV)(a), (b).
- ³¹² *Id.* § 633:8.
- ³¹³ *Id.* § 633:11.
- ³¹⁴ N.J. STAT. ANN § 5:10-29.1. A copy of the poster is available at <https://www.nj.gov/dca/divisions/codes/resources/humantrafficking.html>
- ³¹⁵ N.J. STAT. ANN. § 52:17B-237(f)(4).
- ³¹⁶ <https://www.nj.gov/oag/dcj/humantrafficking/awareness-posters.html>
- ³¹⁷ 2020 NJ S.B. 280 (NS). A PDF version of this bill may be found here: https://www.njleg.state.nj.us/2020/Bills/S0500/280_I1.PDF.
- ³¹⁸ N.J. STAT. ANN § 2C:13-12.
- ³¹⁹ *Id.*
- ³²⁰ *Id.* § 5:10-29.1.
- ³²¹ <http://www.nj.gov/dca/divisions/codes/resources/humantrafficking.html>.
- ³²² The video is available in English and Spanish at <http://www.nj.gov/dca/divisions/codes/resources/humantrafficking.html>

Endnotes

³²³ *Id.*

³²⁴ N.J. STAT. ANN § 2C:13-8(a)(1).

³²⁵ *Id.* § 2C:13-9(a)(1).

³²⁶ *Id.*

³²⁷ 2020 N.J. A.B. 3778. The bill was referred to the Assembly Judiciary Committee in February 2020. A PDF version of this bill may be found here: https://www.njleg.state.nj.us/2020/Bills/A4000/3778_11.PDF.

³²⁸ N.J. STAT. ANN § 2C:13-8.1.

³²⁹ 2020 N.J. S.B. 982. The bill was referred to the Senate Judiciary Committee on January 30, 2020. A PDF version of this bill may be found here: https://www.njleg.state.nj.us/2020/Bills/S1000/982_11.PDF.

³³⁰ N.M. STAT. ANN. § 30-52-2.1. Lodging facilities appear to generally be covered by the Minimum Wage Act. See *id.* § 50-4-21 (defining “employer” as “any individual, partnership, association, corporation, business trust, legal representative or any organized group of persons employing one or more employees are any one time, acting directly or indirectly in the interest of an employer in relation to an employee...”).

³³¹ *Id.* Versions in English, Spanish, and Navajo are available at <https://www.dws.state.nm.us/Business/Publications/State-and-Federal-Posters>.

³³² *Id.* § 30-52-1(A)(2).

³³³ *Id.* § 30-52-1(A)(1).

³³⁴ *Id.* § 30-1-12(E) (defining “person” as including a legal entity, whether incorporated or unincorporated.)

³³⁵ *Id.* § 30-52-1(A)(3).

³³⁶ *Id.* § 31-18-15 (Sentencing for Felonies). A proposed bill currently pending in the state legislature would increase the penalties for human trafficking to a second degree felony or, if the victim is under 18, to a first degree felony; see N.M. House Bill 237 at <https://legiscan.com/NM/text/HB237/id/2110322>.

³³⁷ *Id.* § 30-52-1.1.

³³⁸ PUEBLO OF LAGUANA, N.M. ORDINANCES § 15-7-11(A)(1). (2011)

³³⁹ *Id.* § 15-7-11(A)(2).

³⁴⁰ *Id.* § 15-7-11(B)(1)-(2).

³⁴¹ N.Y. GEN. BUS. LAW § 206-f. The statute defines a lodging facility as “any inn, hotel, motel, motor court or other establishment that provides lodging to transient guests” but excludes bed and breakfasts. Information cards and notices provided by the OTDA are available at <http://otda.ny.gov/programs/bria/trafficking.asp>.

³⁴² However, there have been efforts in the New York state legislature to require training programs in hotels with five or more rooms; see, e.g. <https://apnews.com/84db6eabd4184917a5091dcd3cf15238>.

³⁴³ N.Y. PENAL LAW § 230.34.

³⁴⁴ *Id.*

³⁴⁵ *Id.* § 230.34-A(1).

³⁴⁶ *Id.*

³⁴⁷ *Id.* at (2)(b).

³⁴⁸ *Id.*

³⁴⁹ *Id.* § 230.36.

Endnotes

³⁵⁰ *Id.* § 230.40.

³⁵¹ N.Y. SOC. SERV. LAW § 483-bb(c).

³⁵² N.C. GEN. STAT. § 18B-1003. A copy of the poster is available at <https://www.nccourts.gov/commissions/human-trafficking-commission>

³⁵³ *Id.* § 18B-104.

³⁵⁴ Training resources available at https://www.acf.hhs.gov/sites/default/files/otip/north_carolina_profile_efforts_to_combat_human_trafficking.pdf. There is also a partnership between the North Carolina Restaurant & Lodging Association (NCRLA) and a nonprofit, Businesses Ending Slavery & Trafficking (BEST) that provides free human trafficking training for NCRLA hotel members and employees: <https://www.ncrla.org/2019/free-human-trafficking-prevention-training-for-nc-hotels/>.

³⁵⁵ N.C. GEN. STAT. § 14-43.11(a).

³⁵⁶ *Id.* § 14-43.11(b).

³⁵⁷ 2019 N.C. H.B. 342 (NS). The bill was referred to the House Committee on the Judiciary in March 2019.

³⁵⁸ N.C. GEN. STAT. § 14-43.18(a).

³⁵⁹ *Id.* § 14-43.18(b).

³⁶⁰ *Id.*

³⁶¹ N.D. CENT. CODE § 54-12-33.1(4).

³⁶² *Id.*

³⁶³ *Id.* § 54-12-33.1(2).

³⁶⁴ *Id.* § 54-12-33.1(3).

³⁶⁵ *Id.* § 12.1-41-02(1).

³⁶⁶ *Id.* § 12.1-41-07.

³⁶⁷ *Id.* § 12.1-41-15.

³⁶⁸ *Id.* § 54-12-33.1(5).

³⁶⁹ OHIO REV. CODE ANN. § 5502.63. Posters in English, Spanish, Arabic, French, and Mandarin are available at <https://humantrafficking.ohio.gov/campaign.html>; *Id.* § 5502.63(B)(2) suggests a list of establishments; a detailed definition of “hotel” is set forth in ORC Ann. § 3731.01.

³⁷⁰ *Id.* § 5502.63(B)(1)

³⁷¹ Training resources are available at <https://humantrafficking.ohio.gov/>

³⁷² OHIO REV. CODE ANN. § 2905.32.

³⁷³ *Id.* § 2307.51.

³⁷⁴ OKLA. STAT. tit. 21, § 748(6)(b) (Human Trafficking of a Minor).

³⁷⁵ *Id.* § 748(6)(a).

³⁷⁶ *Id.* § 105 (defining “person” as including corporation).

³⁷⁷ *Id.* § 748(6)(c).

³⁷⁸ *Id.* § 748.2(b).

³⁷⁹ *Id.* § 870(A)(2).

³⁸⁰ *Id.* § 870(B).

³⁸¹ Resources are available at <https://www.doj.state.or.us/crime-victims/victims-resources/other-resources/exploitation-and-sex-trafficking/>

³⁸² OR. REV. STAT. § 163.266.

Endnotes

³⁸³ *Id.* § 161.015(5) (defining “persons” as “a human being and, where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.”)

³⁸⁴ *Id.* § 30.867.

³⁸⁵ *Id.*

³⁸⁶ 43 PA. CONS. STAT. §§ 1492, 1493.

³⁸⁷ *Id.* § 1493.

³⁸⁸ *Id.*

³⁸⁹ *Id.* § 1498.

³⁹⁰ 18 PA. CONS. STAT. § 3031.

³⁹¹ *Id.* § 3011(a)(1).

³⁹² *Id.* § 3013.

³⁹³ *Id.*

³⁹⁴ *Id.*

³⁹⁵ *Id.* § 3011(a)(4)

³⁹⁶ *Id.* § 3017.

³⁹⁷ *Id.* § 3051(a).

³⁹⁸ *Id.* § 3051(b)(1)-(3).

³⁹⁹ R.I GEN. LAWS § 11-67.1-20.

⁴⁰⁰ *Id.*

⁴⁰¹ *Id.*

⁴⁰² *Id.* § 11-67.1-19.

⁴⁰³ *Id.* § 11-67-1-3.

⁴⁰⁴ *Id.* § 11-67.1-8.

⁴⁰⁵ *Id.*

⁴⁰⁶ *Id.* § 3051.

⁴⁰⁷ *Id.*

⁴⁰⁸ S.C. CODE ANN. § 16-3-2100.

⁴⁰⁹ *Id.*

⁴¹⁰ Resources are available at <http://humantrafficking.scag.gov/resources/>

⁴¹¹ *Id.* § 16-3-2020(A)(1)-(3).

⁴¹² *Id.* § 16-3-2030(A)-(B).

⁴¹³ *Id.* § 16-3-2060.

⁴¹⁴ Resources available at <http://rallyforthechallenge.com/>

⁴¹⁵ S.D. CODIFIED LAWS § 22-49-1.

⁴¹⁶ *Id.*

⁴¹⁷ *Id.* § 22-1-2(31) (defining “person” as “any natural person, unborn child, association, limited liability company, corporation, firm, organization, partnership, or society.”)

⁴¹⁸ *Id.* § 20-9-46.

⁴¹⁹ TENN. CODE ANN. § 39-13-313.

⁴²⁰ *Id.*

Endnotes

421 *Id.*

422 *Id.* §§ 39-13-307; 308; 309.

423 *Id.* § 39-13-311.

424 *Id.* § 40-35-111(c)(1).

425 *Id.* § 39-13-314(b).

426 *Id.*

427 TEX. ALCO. BEV. CODE ANN. § 104.07.

428 <https://gov.texas.gov/organization/women/preventing-human-trafficking>

429 <https://www.houstonhotels.org/human-trafficking-prevention>

430 TEX. PENAL CODE ANN. § 20A.02.

431 *Id.* § 1.07(a)(38).

432 TEX. CIV. PRAC. & REM. CODE ANN. § 98.002(a).

433 *Id.* § 98.0025.

434 HOUSTON, TX. ORDINANCES Ch. 28, art. VI, § 28-213 (2020).

435 *Id.* § 28-212.

436 *Id.*

437 *Id.* § 28-215(b).

438 See <https://www.sanantonio.gov/SAPD/Human-Trafficking>

439 See <https://www.bexar.org/3130/Special-Initiatives>

440 UTAH CODE ANN. § 76-5-308.

441 *Id.* §§ 76-3-302, 76-5-309.

442 *Id.* §§ 76-1-601(2) (defining “actor” as “a person whose criminal responsibility is in issue in a criminal action”), 76-1-601(11).

443 *Id.* § 77-38-15.

444 *Id.*

445 *Id.*

446 VT. STAT. ANN. tit. 13, § 2661.

447 *Id.*

448 *Id.*

449 *Id.* § 2661(d).

450 *Id.* § 2652(a)(1).

451 *Id.* § 2652(a)(2).

452 *Id.* § 2652(a)(7).

453 *Id.* § 2652(b).

454 *Id.* § 2654.

455 *Id.*

456 *Id.* § 2656.

457 *Id.* § 2662.

458 VA. CODE ANN. § 9.1-116.5.

459 *Id.* § 18.2-357.1.

460 *Id.* § 8.01-42.4.

Endnotes

⁴⁶¹ WASH. REV. CODE § 43.280.110.

⁴⁶² *Id.*

⁴⁶³ Substitute H.B. 2320, 66th Leg., Reg. Sess. (Wash. 2020). Transient accommodation is defined as “any facility such as a hotel, motel, condominium, resort, or any other facility or place offering three or more lodging units to travelers and transient guests.” Rev. Code Wash. § 70.62.210(1).

⁴⁶⁴ Substitute H.B. 2320, 66th Leg., Reg. Sess. (Wash. 2020).

⁴⁶⁵ *Id.*

⁴⁶⁶ See Human Trafficking Prevention Partners, AM. HOTELS & LODGING ASS'N, <https://www.ahla.com/human-trafficking-prevention-partners>; see also BUSS. ENDING SLAVERY & TRAFFICKING, <https://www.bestalliance.org>.

⁴⁶⁷ WASH. REV. CODE § 9A.40.100.

⁴⁶⁸ *Id.* § 7.96.020.

⁴⁶⁹ *Id.* § 9A.40.100(1)(a)(ii).

⁴⁷⁰ W. VA. CODE § 15A-2-5.

⁴⁷¹ *Id.* § 15A-2-5(b).

⁴⁷² *Id.* § 15A-2-5(c).

⁴⁷³ *Id.* § 15A-2-5(d).

⁴⁷⁴ *Id.* §§ 61-14-1(6), (11); 61-14-2.

⁴⁷⁵ *Id.* § 61-14-7(f).

⁴⁷⁶ WIS. STAT. § 165.71.

⁴⁷⁷ *Id.*

⁴⁷⁸ Human Trafficking, WIS. DEP'T. OF JUSTICE, <https://www.doj.state.wi.us/ocvs/human-trafficking#htlaws>.

⁴⁷⁹ WIS. STAT. § 940.302(1)(d).

⁴⁸⁰ *Id.* § 940.302(2)(b).

⁴⁸¹ *Id.* § 181.1420.

⁴⁸² *Id.* §§ 948.051(3); 990.01(26).

⁴⁸³ WYO. STAT. ANN. §§ 6-2-701(a)(xi), 703.

⁴⁸⁴ *Id.* § 6-2-711.

⁴⁸⁵ D.C. CODE § 22-1833.

⁴⁸⁶ *Id.* § 22-1834.

⁴⁸⁷ *Id.* § 22-1836.

⁴⁸⁸ *Id.* §§ 22-1837; 22-3571.01; 22-3571.02(a).

⁴⁸⁹ *Id.* §§ 22-1837, 22-1838.

⁴⁹⁰ *Id.* § 22-1840.

⁴⁹¹ P.R. LAW ANN. tit.1, § 5279(d).

⁴⁹² P.R. LAW ANN. tit.33, § 4780(c).

⁴⁹³ *Id.* § 4642(aa).

⁴⁹⁴ *Id.* §§ 4780(c); 4642(a).

⁴⁹⁵ GUAM CODE ANN. tit. 9, § 26.23.

⁴⁹⁶ *Id.*

Endnotes

⁴⁹⁷ *Id.* §§ 26.02(a)(1)(Trafficking in Persons); 26.02(b)(1)(Sexual Servitude of a Minor).

⁴⁹⁸ *Id.* §§ 26.02(a)(2); 26.02(b)(2).

⁴⁹⁹ *Id.* § 26.05.

⁵⁰⁰ *Id.*

⁵⁰¹ *Id.* § 26.31.

Protecting every child's
human right to grow up free
from the threat of sexual
exploitation and trafficking.



30 Third Avenue, Suite 800A
Brooklyn, NY 11217
718-935-9192
www.ecpatusa.org
info@ecpatusa.org
Twitter: @ecpatusa
Facebook: @ecpatusa
Instagram: @ecpatusa