



Trio of Bills Would Impose Human Trafficking Obligations on Lodging Industry

Insights

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A trio of bills introduced recently in the California Legislature seek to involve the lodging industry in efforts to combat human trafficking.

Assembly Bill 260 by Assemblymember Miguel Santiago (D-Los Angeles) would amend current law that requires certain businesses to post a human trafficking notice to include the lodging industry. Existing Civil Code Section 52.6 requires certain business establishments (including airports, rail stations, bus stations, truck stops, and massage parlors) to post a notice that contains specified information related to human trafficking, including a hotline to access help and services. The Department of Justice has a [model notice](#) available on its website that covered businesses may use to comply with this requirement.

A business that fails to post the required notice is subject to a \$500 civil penalty (or \$1000 for a subsequent offense), but must first be provided with a 30-day period to fix the violation.

AB 260 would extent this notice posting requirement to hotels, motels, inns, bed and breakfasts, and locations that provide transient lodging (other than private residences).

Senate Bill 225 by Senator Henry Stern (D-Canoga Park) is virtually identical to AB 260. However, SB 225 would update the poster to allow individuals to text the hotline in addition to calling, and would require the Department of Justice to update its model notice to reflect these new requirements.

Another bill, Senate Bill 270 by Senator Toni Atkins (D-San Diego) goes much further by requiring lodging establishments to provide human trafficking identification training to employees.

SB 270 would require a hotel or motel to train its employees who are likely to interact or come into contact with victims of human trafficking in recognizing the signs of human trafficking and how to report these signs to the appropriate enforcement agency. The bill specifies that the training must include (but not be limited to): (1) the definition of human trafficking and commercial exploitation of children, (2) guidance on how to identify individuals who are most at risk of human trafficking, (3) the difference between labor and sex trafficking specific to the hotel sector, and (4) guidance on the role of hospitality employees in reporting and responding to this issue.

SB 270 requires the Department of Justice to develop and approved training program and post it on its website by July 1, 2018. Hotels and motels would have to train employees likely to come into contact with human trafficking victims (and incorporate such training into the initial training process for new hires) by January 1, 2019.

Because this requirement is proposed to be added to Civil Code Section 52.6, a hotel or motel employer that fails to provide the required training would be subject to the same civil penalty provisions described above for a notice posting violation.

The training provisions in SB 270 are very similar to another bill proposed last year, Assembly Bill 1942 by Assemblymember Cristina Garcia (D-Bell Gardens). AB 1942 was held under submission in the Assembly Appropriations Committee.

Each of these bills have been referred to their respective policy committees in the Senate and Assembly, and will be heard in the coming weeks.

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