

# HOUSE BILL REPORT

## SHB 2320

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### As Amended by the Senate

**Title:** An act relating to requiring training on human trafficking.

**Brief Description:** Requiring training on human trafficking.

**Sponsors:** House Committee on Consumer Protection & Business (originally sponsored by Representatives Leavitt, Van Werven, Orwall, Eslick, Barkis, Shewmake, Lovick, Harris, Sells, Kilduff, Tarleton, Fey, Irwin, Wylie, Doglio, Pellicciotti, Kloba and Riccelli).

#### **Brief History:**

##### **Committee Activity:**

Consumer Protection & Business: 1/21/20, 1/28/20 [DPS].

##### **Floor Activity:**

Passed House: 2/12/20, 95-1.

Senate Amended.

Passed Senate: 3/6/20, 48-0.

#### **Brief Summary of Substitute Bill**

- Requires transient accommodations to provide annual training to their employees and post signage regarding human trafficking.
- Requires transient accommodations to implement procedures for the voluntary reporting of suspected human trafficking.
- Requires a transient accommodation to certify, in writing, that it has complied with the human trafficking training, signage, and reporting procedure requirements during renewal or application of its transient accommodation license.

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### HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Kirby, Chair; Vick, Ranking Minority Member; Hoff, Assistant Ranking Minority Member; Barkis, Blake, Duerr, Dufault, Johnson, J., Ryu, Santos, Volz, Walen and Ybarra.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Robbi Kesler (786-7153).

**Background:**

Transient Accommodations.

The term "transient accommodation" includes facilities such as a hotel, motel, condominium, resort, or any other facility or place offering three or more lodging units to travelers and transient guests when the rental period is less than 30 days.

Transient accommodations must obtain a license from the Washington State Department of Health. The transient accommodation license must be reviewed annually.

National Human Trafficking Hotline.

The National Human Trafficking Hotline is funded by the United States Department of Health and Human Services (HHS) and is operated by Polaris, a Washington, D.C.-based nongovernmental organization.

**Summary of Substitute Bill:**

Transient accommodations must provide annual training to their employees and post signage regarding human trafficking. Upon renewal or application for a new license, a transient accommodation must certify, in writing, that it has complied with the human trafficking training, signage, and reporting procedure requirements. The contents of the training and copies of the signage must be made available for inspection, upon request by the Washington State Department of Health.

The training must require, at a minimum:

- the definition of "human trafficking" and "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 victim; and
- the contact information of appropriate agencies, including the National Human Trafficking Hotline telephone number, and the telephone numbers of appropriate local law enforcement agencies.

The signage must be posted in a conspicuous location, printed in an easily legible font in English and any other language spoken by at least 10 percent of the employees.

Transient accommodation operators shall implement procedures for the voluntary reporting of suspected human trafficking to the National Human Trafficking Hotline or to a local law

enforcement agency, and a policy to act as a guide for all employees on human trafficking prevention.

**EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment modifies the human trafficking training requirements by removing references to implicit bias and replacing those references to a requirement that the training used to help identify suspected trafficking victims be based on behaviors and traits of trafficking regardless of race, creed, color, national origin, sex, sexual orientation, or class. The language related to potential harms of involving law enforcement without consent from a suspected trafficking victim is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Human trafficking is an issue throughout the state. Without training, it is difficult to spot and identify trafficking. This bill does not require reporting, but does require employers to train workers on how to recognize signs of trafficking and the best manner of response. Giving employees access to training will have a large impact in the prevention of human trafficking. There is no cost to the businesses, as many already provide training to their employees and there are several nonprofits that can provide the training materials for free. This is one more way to address the trafficking challenge we have in the state. This bill recognizes there is not a one-size-fits-all approach to training, and this bill gives businesses flexibility in determining what training best suits their business and employees. Training is an important component in the hotel industry's efforts to end human trafficking, and as such, there should be an emphasis on giving tools and training to front-line staff. Training works, but even when it is free there is a low level of participation; mandating training will have a bigger impact. Required training for those that are more likely to come into contact with trafficked persons is very important for public safety.

(Opposed) Increased awareness is a good goal, but most of the training is based on sensationalized stories, misinformation, and focuses on calling law enforcement. This can cause discrimination to marginalized groups and may even be harmful. Training should include considerations for avoiding profiling and internal biases. Training, support, and outreach efforts should be focused elsewhere.

**Persons Testifying:** (In support) Representative Leavitt, prime sponsor; Samantha Louderback, Washington Hospitality Association; Anna Boone, Seattle Hotel Association; Kevin Connelly and Mar Brettmann, Businesses Ending Slavery and Trafficking; and Jeri Moomaw and Erik Gray, Innovations Human Trafficking Collaborative.

(Opposed) Emi Koyama, Coalition for Rights and Safety for People in the Sex Trade; and  
Lisa Taylor-Lopez, Sex Workers Outreach Project.

**Persons Signed In To Testify But Not Testifying:** None.