

# SENATE BILL REPORT

## SHB 2320

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As of August 31, 2020

**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:** Law & Justice: 2/20/20.

### Brief Summary of Bill

- Requires transient accommodations to train all employees on human trafficking by January 1, 2021, and train new employees within 90 days of hire.
- Requires culturally responsive training specific to public lodging that addresses implicit bias, identifying human trafficking victims, and responding to suspected human trafficking.
- Requires posting of human trafficking awareness signage, and implementing voluntary reporting procedures, by January 1, 2021.
- Prohibits the Department of Health (DOH) from issuing or renewing a transient accommodation facility's license without written certification that the requirements for human trafficking training, signage, and reporting procedures are met and authorizes DOH inspection upon request.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** Human Trafficking. Human trafficking is a form of modern-day slavery in which traffickers use force, fraud, or coercion to control victims to engage in commercial sex acts against their will. Human trafficking is illegal under both state and federal law.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

Washington's Office of Crime Victims Advocacy administers The Washington State Clearinghouse on Human Trafficking, providing information on statewide efforts to combat trafficking, news, and updates regarding trafficking and resources for victims and survivors. Human trafficking victims are controlled physically, emotionally, and financially. Escape is difficult because victims are afraid to approach authorities because they fear threats of harm against their families or deportation if they are not U.S. citizens. They may have no idea how to get help. Washington State is considered a high-risk state for human trafficking because it has an international border, multiple ports, areas of geographic isolation, and demand for sex industry workers. Human traffickers often take advantage of the privacy and anonymity offered through the hospitality industry. Hotels and motels are common locations for human trafficking.

Transient Accommodations. DOH licenses transient accommodations. Transient accommodations include any facility such as a hotel, motel, condominium, or resort, offering three or more separately accessed and numbered lodging units to travelers and transient guests. A transient accommodation operator must obtain a license and renew it each year. The state Board of Health makes health and safety rules governing minimum transient accommodation standards for adequate light, heat, ventilation, cleanliness, and sanitation. The facility must be adequately maintained to comply with the rules. DOH has the authority to enter and inspect any transient accommodation at any reasonable time, and investigate complaints about the facility. If a transient accommodation violates the rules or fails to comply with the licensing requirements, DOH may suspend or revoke the facility's license, impose a civil fine, or refer the matter to the county prosecutor for criminal charges. A violation of the transient accommodation rules by an operator is a misdemeanor. Each day of operations in violation of the rules is a separate offense.

**Summary of Bill:** Transient accommodations must provide annual training to their employees, implement procedures for voluntary reporting of suspected trafficking, and post signage regarding human trafficking. A transient accommodation must certify that it has complied with the human trafficking training, signage, and reporting procedure requirements as a condition of DOH licensing. DOH may request inspection of the required documents.

The training must include:

- 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 conspicuously posted, printed in an easily legible font in English and any other language spoken by at least 10 percent of the employees.

Transient accommodation operators must 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.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.