

HOUSE BILL No. 1178

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-19-14; IC 34-30-2.1-127.3.

Synopsis: Human trafficking awareness training. Requires an owner or operator of a public lodging establishment (establishment) to: (1) provide human trafficking awareness training for employees; (2) post human trafficking awareness signage; and (3) implement procedures for the reporting of suspected human trafficking and a human trafficking prevention policy. Requires the department of homeland security (department) to make a list available on the department's website of approved human trafficking training courses. Provides that an owner, operator, or employee of an establishment that complies in good faith with the requirements is not liable for an act or omission arising out of or related to human trafficking committed by a third party unless the owner, operator, or employee knowingly and willfully assists in the commission of human trafficking. Requires the department to maintain a list of establishments that are not in compliance with the requirements. Requires a state agency to ensure that lodging for an employee of the state agency is booked in an establishment that is not on the list. Requires the department to adopt rules to implement the requirements, including rules establishing a schedule of fines for a violation.

Effective: Upon passage.

Haggard, Meltzer, Garcia Wilburn

January 9, 2024, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1178

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-19-14 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]:

4 **Chapter 14. Human Trafficking Awareness Training**

5 **Sec. 1. As used in this chapter, "human trafficking" means:**

- 6 (1) severe forms of trafficking in persons (as defined in
- 7 Section 103(8) of the federal Victims of Trafficking and
- 8 Violence Protection Act of 2000 (P.L. 106-386, 114 Stat.
- 9 1464)); and
- 10 (2) sex trafficking (as defined in Section 103(9) of the federal
- 11 Victims of Trafficking and Violence Protection Act of 2000
- 12 (P.L. 106-386, 114 Stat. 1464)).

13 **Sec. 2. As used in this chapter, "public lodging establishment"**
14 **means accommodations for overnight or temporary habitation.**
15 **The term includes a hotel, motel, lodge, or inn.**

16 **Sec. 3. As used in this chapter, "state agency" has the meaning**
17 **set forth in IC 4-13-1-1(b).**



1 **Sec. 4. (a) An owner or operator of a public lodging**
2 **establishment shall provide human trafficking awareness training**
3 **for employees of the public lodging establishment. The training**
4 **must be an approved human trafficking training course included**
5 **on the department's list under section 5 of this chapter.**

6 **(b) The training must occur:**

7 **(1) before January 1, 2025, for an existing employee as of July**
8 **1, 2024; or**

9 **(2) not later than six (6) months after the commencement of**
10 **employment for a new employee hired after July 1, 2024.**

11 **(c) An owner or operator of a public lodging establishment shall**
12 **maintain records of each employee who has completed the training**
13 **required by this section. The records must be kept on file by the**
14 **owner or operator of the public lodging establishment for:**

15 **(1) the period during which an employee is employed by the**
16 **public lodging establishment; and**

17 **(2) one (1) year after the date the employment ends.**

18 **(d) Upon request, a public lodging establishment shall provide**
19 **a copy of the records maintained under subsection (c) to the**
20 **department.**

21 **Sec. 5. (a) The department shall make a list available on the**
22 **department's website of approved human trafficking training**
23 **courses for use by a public lodging establishment.**

24 **(b) A human trafficking awareness training course approved by**
25 **the department must include the following components:**

26 **(1) The definition of human trafficking and commercial**
27 **exploitation of children.**

28 **(2) Guidance on how to identify individuals at risk for human**
29 **trafficking.**

30 **(3) Guidance on how to identify the signs of human trafficking**
31 **and individuals potentially engaged in the act of human**
32 **trafficking.**

33 **(4) Differences between labor and sex trafficking, specific to**
34 **the hotel sector.**

35 **(5) Guidance on the role of hospitality employees in reporting**
36 **and responding to the issue of human trafficking.**

37 **(6) The contact information for:**

38 **(A) the National Human Trafficking Hotline, including the**
39 **toll free telephone number and text line; or**

40 **(B) a local law enforcement agency.**

41 **Sec. 6. (a) Before January 1, 2025, an owner or operator of a**
42 **public lodging establishment shall post human trafficking**



1 awareness signage in a manner prescribed by the department.

2 (b) The signage must be printed in an easily legible font in:

3 (1) English; and

4 (2) any other primary language spoken by at least ten percent

5 (10%) of the employees of the public lodging establishment.

6 Sec. 7. Before January 1, 2025, an owner or operator of a public
7 lodging establishment shall implement:

8 (1) procedures for the reporting of suspected human
9 trafficking to the National Human Trafficking Hotline or to
10 a local law enforcement agency; and

11 (2) a human trafficking prevention policy that applies to all
12 employees of the public lodging establishment.

13 Sec. 8. (a) An owner, operator, or employee of a public lodging
14 establishment that complies in good faith with this chapter is not
15 liable for an act or omission arising out of or related to human
16 trafficking committed by a third party unless the owner, operator,
17 or employee of the public lodging establishment knowingly and
18 willfully assists in the commission of human trafficking.

19 (b) This section does not grant immunity from civil liability to
20 a person who commits an act or omission that constitutes gross
21 negligence or willful and wanton misconduct.

22 Sec. 9. (a) The department shall:

23 (1) maintain a list of public lodging establishments that are
24 not in compliance with this chapter; and

25 (2) make the list available to other state agencies.

26 (b) The department shall allow not more than ninety (90) days
27 for an owner or operator of a public lodging establishment to cure
28 a violation of this chapter before placing the public lodging
29 establishment on the list described in subsection (a).

30 Sec. 10. To the extent practicable, a state agency shall ensure
31 that a commercial lodging room night for an employee of the state
32 agency when engaged in the performance of state business is
33 booked in a public lodging establishment that is not on the list
34 described in section 9(a) of this chapter.

35 Sec. 11. (a) The department shall adopt rules under IC 4-22-2 to
36 implement this chapter.

37 (b) The rules adopted under this section must include a schedule
38 of fines for an owner or operator of a public lodging establishment
39 that violates this chapter.

40 Sec. 12. A fine collected under this chapter must be deposited in
41 the state general fund.

42 SECTION 2. IC 34-30-2.1-127.3 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: **Sec. 127.3. IC 10-19-14-8**
3 **(Concerning an owner, operator, or employee of a public lodging**
4 **establishment).**
5 SECTION 3. **An emergency is declared for this act.**

