

State of Wisconsin



2023 Assembly Bill 973

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT *to renumber and amend* 50.035 (1); and *to create* 50.035 (1) (c) and 103.155 of the statutes; **relating to** mandatory training regarding human trafficking for employees of community-based residential facilities and owners of certain entities and certain other employees and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 50.035 (1) of the statutes is renumbered 50.035 (1) (a) and amended to read:

50.035 (1) (a) Each employee of a community-based residential facility shall, within 90 days after the beginning date of employment, receive basic first aid training and other safety training. The department shall indicate acceptable sources from which facility employees may receive this training. The department shall also develop instructional materials for use by facilities concerning acceptable methods of operation and procedures for protecting and serving the needs of facility residents. The department may require that all facility employees complete a program involving these materials and may sell the materials to facilities at cost. ~~In addition, each facility employee~~

(b) Each employee of a community-based residential facility shall, within 90 days after the beginning date of employment, receive training in fire prevention and control and evacuation techniques. Each facility shall coordinate its training in fire prevention and control and evacuation techniques with the local fire department.

SECTION 2. 50.035 (1) (c) of the statutes is created to read:

50.035 (1) (c) Each employee of a community-based residential facility who has regular, direct contact with facility residents who are on probation, extended supervision, or parole shall, within 60 days after the beginning date of employment and at least every 2 years thereafter, receive training on identifying and preventing human trafficking crimes, as defined in s. 165.505 (1) (am). The training required under this paragraph shall include at least all of the following:

1. The definitions of human trafficking and the commercial exploitation of children.
2. Guidance on how to identify individuals who are most at risk for human trafficking.
3. The difference between labor trafficking and sex trafficking.

SECTION 3. 103.155 of the statutes is created to read:
103.155 Mandatory training regarding human trafficking. (1) DEFINITIONS. In this section:

(a) "Campground" means a parcel or tract of land owned by a person, the state, or a local government that is designed, maintained, intended, or used for the purpose of providing campsites, offered with or without charge, for temporary overnight sleeping accommodations.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(b) “Entity principal” means the owner of a lodging establishment or the main contact designated by the owner or organization to represent the owner.

(c) “Human trafficking crimes” has the meaning given in s. 165.505 (1) (am).

(d) “Lodging establishment” means any of the following:

1. A bed and breakfast establishment, as defined in s. 97.01 (1g).

2. A hotel or motel. In this subdivision, “hotel” or “motel” has the meaning given for “hotel” in s. 97.01 (7.)

3. A tourist rooming house, as defined in s. 97.01 (15k).

4. A short-term rental, as defined in s. 66.0615 (1) (dk).

5. A campground.

(e) “Site principal” means the person designated by an entity principal to oversee the day-to-day operations of a lodging establishment.

(2) TRAINING. (a) Each employer shall provide training regarding identifying and preventing human trafficking crimes to employees who are likely to interact with the public and vulnerable individuals, as determined by the department. At a minimum, employers shall provide such training to all of their employees who are private security officers, public transit managers, and adult entertainment establishment managers. Owners of adult entertainment establishments are required to undergo the same training at the same intervals as managers employed at those entities.

(b) Each entity principal shall provide training regarding identifying and preventing human trafficking crimes to employees who are likely to interact with the public and vulnerable individuals, as determined by the department. At a minimum, each entity principal shall provide such training to the site principal. Entity principals are required to undergo the same training at the same intervals as the site principal.

(c) The training required under this section shall include at least all of the following:

1. The definitions of human trafficking and the commercial exploitation of children.

2. Guidance on how to identify individuals who are most at risk for human trafficking.

3. Guidance on how to identify the signs of human trafficking and how to identify individuals potentially engaged in the act of trafficking.

4. As relevant, the difference between labor trafficking and sex trafficking specific to the hotel and motel sector.

5. As relevant, guidance on the role of hospitality employees in reporting and responding to human trafficking.

6. The contact information of appropriate agencies, including the toll-free telephone number of the National Human Trafficking Hotline or the telephone numbers of the appropriate local law enforcement agencies.

(d) The training required under this section shall be at least 20 minutes in length, in person or interactive, and shall be undergone or provided within 60 days of an individual becoming an entity principal, site principal, or owner of an adult entertainment establishment, or an employee being hired, and at least every 2 years thereafter.

(e) Except for individuals who are required by law to report suspected human trafficking to law enforcement agencies, the failure to report a human trafficking case by an owner or employee who is trained as required under this section does not, by itself, result in the civil liability of any entity principal, site principal, owner, or employee to the human trafficking victim in the case in question or to any other party.

(3) RULES. The department shall promulgate rules to implement this section.

(4) EDUCATIONAL VIDEO. The department shall produce a training video regarding the subjects in sub. (2) (c) and make the video available to the public at no cost on the department’s website.