



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3386/1
KP:cjs

2019 ASSEMBLY BILL 1022

March 26, 2020 - Introduced by Representatives HAYWOOD, LOUDENBECK, ANDERSON, BILLINGS, BOWEN, CABRERA, CROWLEY, EMERSON, FIELDS, GRUSZYNSKI, GUNDRUM, OHNSTAD, RAMTHUN, SHANKLAND, SINICKI, SPREITZER, STUBBS, SUBECK and VINING, cosponsored by Senators KOOYENGA, L. TAYLOR, CARPENTER, LARSON, SMITH and WANGGAARD. Referred to Committee on Rules.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to create** 20.455 (2) (hm) and 165.705 of the statutes; **relating to:** human
2 trafficking awareness certifications for lodging establishments and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Justice to grant annual human trafficking awareness certifications to the operators of lodging establishments that provide human trafficking awareness training to certain employees, display a human trafficking awareness poster, and implement procedures for the reporting of suspected human trafficking. The bill defines a "lodging establishment" as a hotel, motel, inn, bed and breakfast establishment, or tourist rooming house.

The bill also requires DOJ to design a logotype to be used by lodging establishments granted the human trafficking awareness certification under the bill. Additionally, DOJ must use the receipts from the fees for obtaining a certification to investigate human trafficking crimes.

Under the bill, an owner, operator, or employee of a lodging establishment granted a certification is not liable for damages related to human trafficking carried out by a third party unless the owner, operator, or employee knowingly assists the human trafficking.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.455 (2) (hm) of the statutes is created to read:

2 20.455 (2) (hm) *Human trafficking investigations.* All moneys received from
3 fees paid under s. 165.705 (2), to be used to investigate human trafficking crimes, as
4 defined in s. 165.505 (1) (am).

5 **SECTION 2.** 165.705 of the statutes is created to read:

6 **165.705 Human trafficking awareness certification; lodging**
7 **establishments.** (1) In this section:

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

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

10 2. A hotel, as defined in s. 97.01 (7).

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

12 (b) “Lodging establishment worker” means any of the following:

13 1. A person employed by an operator of a lodging establishment who has
14 recurring interactions with the public, including an employee who works in the
15 reception area, performs housekeeping duties, helps customers in moving their
16 possessions, or transports by vehicle customers of the lodging establishment.

17 2. An operator of a bed and breakfast establishment, as defined in s. 97.01 (1g),
18 or a tourist rooming house, as defined in s. 97.01 (15k).

19 (2) The department of justice shall grant a human trafficking awareness
20 certification to a lodging establishment operator that submits an application on a
21 form provided by the department of justice and does all of the following:

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1 (a) Pays a fee of \$100.

2 (b) Provides training to lodging establishment workers that satisfies all of the
3 following:

4 1. The training consists of all of the following:

5 a. A presentation of the definition of human trafficking and commercial
6 exploitation of children.

7 b. Guidance on how to identify individuals who are most at risk for human
8 trafficking.

9 c. A description specific to the lodging industry of the differences between
10 human trafficking for purposes of labor and for purposes of sex.

11 d. Guidance on the role of lodging establishment workers in reporting and
12 responding to human trafficking.

13 e. The contact information of appropriate agencies, including local law
14 enforcement agencies and telephone hotlines.

15 2. The training is at least 20 minutes in duration and provided in a classroom
16 or another effective and interactive setting.

17 3. The training is provided to each lodging establishment worker within 6
18 months of the date that the worker begins working at the lodging establishment and
19 during every 2-year period thereafter.

20 (c) Submits a description of the content of the human trafficking awareness
21 training provided under par. (b).

22 (d) Conspicuously displays the poster under s. 165.71 (1) to lodging
23 establishment workers.

ASSEMBLY BILL 1022**SECTION 2**

1 (e) Implements procedures for lodging establishment workers to report
2 suspected human trafficking to appropriate agencies, including local law
3 enforcement agencies and telephone hotlines.

4 (3) (a) A certification granted under sub. (2) expires on June 30, except that a
5 certification initially granted during the period beginning on April 1 and ending on
6 June 30 expires on June 30 of the following year.

7 (b) The department of justice may revoke the certification of a lodging
8 establishment operator granted under sub. (2) if the department of justice
9 determines that the lodging establishment operator does not satisfy the
10 requirements under sub. (2).

11 (4) The department of justice shall design an official logotype appropriate for
12 use by lodging establishment operators certified under sub. (2), and shall prohibit
13 the use of the logotype by persons other than persons certified under sub. (2).

14 (5) The department of justice shall develop, maintain, and keep current a
15 computer database of lodging establishments in the state that are certified under
16 sub. (2).

17 (6) An owner, operator, or employee of a lodging establishment certified under
18 sub. (2) shall not be liable for any claim for damages arising out of any act or omission
19 related to human trafficking carried out by a 3rd party unless the owner, operator,
20 or employee knowingly assists the human trafficking.

SECTION 3. Nonstatutory provisions.

22 (1) CURRENT LODGING ESTABLISHMENT WORKERS. Notwithstanding s. 165.705 (2)
23 (b) 3., an operator of a lodging establishment may be certified under s. 165.705 (2),
24 if within 6 months after the effective date of this subsection the operator provides
25 human trafficking awareness training that satisfies s. 165.705 (2) (b) 1. and 2. to

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1 persons who on the effective date of this subsection are lodging establishment
2 workers, as defined in s. 165.705 (1) (b), and continue to work at the lodging
3 establishment.

4 (END)