

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

House Bill 1198  
Judiciary

(Delegate Cox)

Judicial Proceedings

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**Human Trafficking – Required Posting**

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This bill requires a clerk of the court to prominently post the National Human Trafficking Resource Center Hotline information sign designed by the Department of Labor, Licensing, and Regulation (DLLR) in public information areas of each courthouse.

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**Fiscal Summary**

**State Effect:** The bill’s requirements can be handled using existing budgeted resources.

**Local Effect:** The bill’s requirements can be handled using existing budgeted resources.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Section 11-303 of the Criminal Law Article prohibits a person from engaging in human trafficking. The penalties for the offense vary based on the type of victim and the circumstances involved.

Under the human trafficking prohibition, a person may not knowingly:

- take or cause another to be taken to any place for prostitution;
- place, cause to be placed, or harbor another in any place for prostitution;
- persuade, induce, entice, or encourage another to be taken to or placed in any place for prostitution;

- receive consideration to procure for or place in a house of prostitution or elsewhere another with the intent of causing the other to engage in prostitution or assignation;
- engage in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance, the other or a third person would suffer physical restraint or serious harm; or
- destroy, conceal, remove, confiscate, or possess an actual or purported passport, immigration document, or government identification document of another while otherwise violating or attempting to commit these acts.

A parent, guardian, or person who has permanent or temporary care or custody or responsibility for supervision of another may not consent to the taking or detention of the other for prostitution. A person may not knowingly take or detain another person with the intent to use force, threat, coercion, or fraud to compel the other person to marry the person or a third person or perform a sexual act, sexual contact, or vaginal intercourse.

**Background:** Chapters 576 and 577 of 2010 required DLLR to design a sign that includes the phone number for the National Human Trafficking Resource Center Hotline for posting in specified lodging establishments. The hotline is available to answer calls 24 hours a day, each day of the year. The hotline can connect human trafficking victims and survivors to services and offers technical assistance to the anti-trafficking community.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery and Prince George's counties; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Municipal League; Department of Human Services; Polaris Project; Department of Legislative Services

**Fiscal Note History:**  
sb/kdm

First Reader - March 6, 2019  
Third Reader - March 26, 2019  
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Analysis by: Jennifer K. Botts

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510