

# SENATE BILL 91

C2, E4

2lr0408

(PRE-FILED)

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By: **Senator Jackson**

Requested: August 26, 2021

Introduced and read first time: January 12, 2022

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Business Regulation – Innkeepers – Maintenance of Guest Records and**  
3 **Employee Human Trafficking Awareness Training and Policy**

4 FOR the purpose of requiring innkeepers to establish and maintain a certain  
5 record-keeping system for guest transactions and receipts; requiring the Governor's  
6 Office of Crime Prevention, Youth, and Victim Services and the Maryland  
7 Department of Labor to approve certain training programs regarding human  
8 trafficking; requiring innkeepers to take certain actions to provide employees with  
9 training on the prevention, identification, and reporting of human trafficking; and  
10 generally relating to innkeepers and human trafficking.

11 BY repealing and reenacting, without amendments,  
12 Article – Business Regulation  
13 Section 15–201  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2021 Supplement)

16 BY adding to  
17 Article – Business Regulation  
18 Section 15–209 and 15–210  
19 Annotated Code of Maryland  
20 (2015 Replacement Volume and 2021 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Business Regulation**

4 15–201.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Innkeeper” means the owner, operator, manager, or keeper of a lodging  
7 establishment, or the agent of an owner, operator, manager, or keeper of a lodging  
8 establishment.

9 (c) “Lodging establishment” means an inn, hotel, motel, or other establishment  
10 that has at least four rooms available for a fee to transient guests for lodging or sleeping  
11 purposes.

12 **15–209.**

13 **(A) AN INNKEEPER SHALL ESTABLISH AND MAINTAIN A COMPUTERIZED**  
14 **RECORD–KEEPING SYSTEM OF ALL GUEST TRANSACTIONS AND RECEIPTS.**

15 **(B) A RECORD MAINTAINED IN ACCORDANCE WITH THIS SECTION SHALL BE**  
16 **RETAINED BY THE INNKEEPER FOR NOT LESS THAN 6 MONTHS AFTER THE DATE OF**  
17 **THE CREATION OF THE RECORD.**

18 **15–210.**

19 **(A) (1) THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND**  
20 **VICTIM SERVICES AND THE DEPARTMENT SHALL APPROVE EDUCATIONAL**  
21 **TRAINING PROGRAMS FOR THE ACCURATE AND PROMPT IDENTIFICATION AND**  
22 **REPORTING OF SUSPECTED HUMAN TRAFFICKING.**

23 **(2) A TRAINING PROGRAM APPROVED UNDER THIS SUBSECTION**  
24 **MUST INCLUDE A VIDEO PRESENTATION THAT:**

25 **(I) DEFINES:**

26 **1. EXPLOITATION OF A CHILD; AND**

27 **2. HUMAN TRAFFICKING; AND**

28 **(II) OFFERS GUIDANCE TO EMPLOYEES OF INNKEEPERS ON:**

1                   1.    RECOGNIZING POTENTIAL VICTIMS OF HUMAN  
2 TRAFFICKING;

3                   2.    THE DIFFERENCES BETWEEN LABOR AND SEX  
4 TRAFFICKING THAT ARE SPECIFIC TO THE HOTEL INDUSTRY;

5                   3.    ACTIVITIES COMMONLY ASSOCIATED WITH HUMAN  
6 TRAFFICKING; AND

7                   4.    THE ROLE OF EMPLOYEES IN REPORTING AND  
8 RESPONDING TO HUMAN TRAFFICKING.

9           (B)   (1)   AN INNKEEPER SHALL PROVIDE A NEW EMPLOYEE OF THE  
10 LODGING ESTABLISHMENT WITH THE ANNUAL TRAINING DESCRIBED IN  
11 SUBSECTION (A) OF THIS SECTION WITHIN ~~45~~ 90 DAYS AFTER THE DATE THE  
12 EMPLOYEE IS HIRED.

13                   (2)   (I)   EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
14 PARAGRAPH, ON OR BEFORE OCTOBER 1, 2023, AND EACH OCTOBER 1  
15 THEREAFTER, AN INNKEEPER SHALL CERTIFY TO THE DEPARTMENT THAT ALL  
16 EMPLOYEES OF THE LODGING ESTABLISHMENT HAVE RECEIVED THE ANNUAL  
17 TRAINING PRESCRIBED BY THIS SECTION.

18                           (II)   THE REQUIREMENT UNDER THIS PARAGRAPH DOES NOT  
19 APPLY TO AN EMPLOYEE FOR WHOM FEWER THAN ~~45~~ 90 DAYS HAVE ELAPSED SINCE  
20 THE DATE THE EMPLOYEE WAS HIRED.

21           (C)   AN INNKEEPER SHALL:

22                   (1)   ESTABLISH A PROCEDURE FOR REPORTING POTENTIAL  
23 INSTANCES OF HUMAN TRAFFICKING BY:

24                           (I)   AN EMPLOYEE TO THE INNKEEPER; AND

25                           (II)   THE INNKEEPER TO ~~THE GOVERNOR'S OFFICE OF CRIME~~  
26 ~~PREVENTION, YOUTH, AND VICTIM SERVICES;~~

27                                   1.    LAW ENFORCEMENT; OR

28                                   2.    THE NATIONAL HUMAN TRAFFICKING RESOURCE  
29 CENTER HOTLINE;

30                           (2)   ~~DEVELOP AND~~ IMPLEMENT A HUMAN TRAFFICKING PREVENTION  
31 POLICY FOR THE INNKEEPER'S EMPLOYEES THAT INCLUDES HOW TO:

1 (I) RECOGNIZE POTENTIAL VICTIMS OF HUMAN TRAFFICKING;

2 (II) RESPOND TO AN INDIVIDUAL WHO MAY BE OR IS A VICTIM OF  
3 HUMAN TRAFFICKING; AND

4 (III) CONNECT AN INDIVIDUAL WHO MAY BE OR IS A VICTIM OF  
5 HUMAN TRAFFICKING WITH ANY AVAILABLE RESOURCES; AND

6 (3) POST PROMINENTLY THE SIGN DEVELOPED BY THE DEPARTMENT  
7 UNDER § 15-207 OF THIS SUBTITLE IN A LOCATION CONSPICUOUS TO THE  
8 INNKEEPER’S EMPLOYEES.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.