

SENATE BILL 876

Senator Jackson

Assigned to: Finance

Business Regulation – Innkeepers – Records and Human Trafficking Awareness Training

FOR the purpose of requiring an innkeeper to maintain a certain record-keeping system of guest transactions and receipts; requiring that certain records be kept for a certain period; requiring the Governor’s Office of Crime Prevention, Youth, and Victim Services and the Maryland Department of Labor to approve a certain training program for identification and reporting of suspected human trafficking; providing certain requirements for a certain training program; requiring a certain innkeeper to ensure that certain employees receive certain training; requiring, on an annual basis, an innkeeper to make a certain certification to the Department; and generally relating to innkeepers and human trafficking.

BY repealing and reenacting, without amendments, Article – Business Regulation Section 15–201 Annotated Code of Maryland (2015 Replacement Volume and 2020 Supplement)

BY adding to Article – Business Regulation Section 15–209 Annotated Code of Maryland (2015 Replacement Volume and 2020 Supplement)

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

Article – Business Regulation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

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15–201.

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

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

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

15-209.

(A) (1) AN INNKEEPER SHALL MAINTAIN A COMPUTERIZED RECORD-KEEPING SYSTEM OF ALL GUEST TRANSACTIONS AND RECEIPTS.

(2) THE RECORDS MAINTAINED IN ACCORDANCE WITH THIS SECTION SHALL BE RETAINED BY THE INNKEEPER FOR NOT LESS THAN 6 MONTHS FROM THE DATE OF THE CREATION OF THE RECORD.

(B) (1) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES AND THE DEPARTMENT SHALL APPROVE AN EDUCATIONAL TRAINING PROGRAM AND A REFRESHER TRAINING PROGRAM PROGRAMS FOR THE ACCURATE AND PROMPT IDENTIFICATION AND REPORTING OF SUSPECTED HUMAN TRAFFICKING.

(2) THE TRAINING PROGRAM SHALL INCLUDE A VIDEO PRESENTATION THAT OFFERS GUIDANCE TO EMPLOYEES OF INNKEEPERS ON:

(I) THE RECOGNITION OF POTENTIAL VICTIMS OF HUMAN TRAFFICKING; AND

(II) THE ACTIVITIES COMMONLY ASSOCIATED WITH HUMAN TRAFFICKING; ;

(III) DEFINING BOTH HUMAN TRAFFICKING AND EXPLOITATION OF CHILDREN;

(IV) THE DIFFERENCES BETWEEN LABOR AND SEX TRAFFICKING SPECIFIC TO THE HOTEL SECTOR; AND

(V) THE ROLE OF HOSPITALITY EMPLOYEES IN REPORTING AND RESPONDING TO HUMAN TRAFFICKING.

(C) (1) AN INNKEEPER SHALL ~~ENSURE THAT~~ PROVIDE ALL EMPLOYEES OF THE LODGING ESTABLISHMENT ~~RECEIVE WITH~~ THE ANNUAL TRAINING DESCRIBED IN SUBSECTION (B) OF THIS SECTION.

(2) ON OR BEFORE OCTOBER 1, 2022, AND ON OR BEFORE OCTOBER 1 EACH YEAR THEREAFTER, AN INNKEEPER SHALL CERTIFY TO THE DEPARTMENT THAT ALL EMPLOYEES OF THE LODGING ESTABLISHMENT HAVE RECEIVED THE ANNUAL TRAINING PRESCRIBED BY THIS SECTION.

(3) THE ANNUAL TRAINING DESCRIBED IN SECTION B OF THIS SECTION FOR NEW EMPLOYEES SHALL OCCUR WITHIN 45 DAYS OF HIRING.

(D) AN INNKEEPER SHALL POST A SIGN ABOUT HUMAN TRAFFICKING AWARENESS IN A LOCATION CONSPICUOUS TO EMPLOYEES.

(E) AN INNKEEPER SHALL ESTABLISH PROCEDURES FOR REPORTING SUSPECTED HUMAN TRAFFICKING ACTIVITY AND IMPLEMENT A HUMAN TRAFFICKING PREVENTION POLICY FOR ITS EMPLOYEES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 October 1, 2021.