

HOUSE BILL 270

C2, E4
HB 338/21 – ECM

2lr1400

By: **Delegates Ebersole, Palakovich Carr, Patterson, and Ruth**

Introduced and read first time: January 13, 2022

Assigned to: Economic Matters

A BILL ENTITLED

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)

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

23 **Article – Business Regulation**

24 15–201.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

15-210.

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

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

(I) DEFINES:

1. EXPLOITATION OF A CHILD; AND

2. HUMAN TRAFFICKING; AND

(II) OFFERS GUIDANCE TO EMPLOYEES OF INNKEEPERS ON:

1. RECOGNIZING POTENTIAL VICTIMS OF HUMAN TRAFFICKING;

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

3. ACTIVITIES COMMONLY ASSOCIATED WITH HUMAN TRAFFICKING; AND

1 4. THE ROLE OF EMPLOYEES IN REPORTING AND
2 RESPONDING TO HUMAN TRAFFICKING.

3 (B) (1) AN INNKEEPER SHALL PROVIDE A NEW EMPLOYEE OF THE
4 LODGING ESTABLISHMENT WITH THE ANNUAL TRAINING DESCRIBED IN
5 SUBSECTION (A) OF THIS SECTION WITHIN 45 DAYS AFTER THE DATE THE EMPLOYEE
6 IS HIRED.

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

12 (II) THE REQUIREMENT UNDER THIS PARAGRAPH DOES NOT
13 APPLY TO AN EMPLOYEE FOR WHOM FEWER THAN 45 DAYS HAVE ELAPSED SINCE
14 THE DATE THE EMPLOYEE WAS HIRED.

15 (C) AN INNKEEPER SHALL:

16 (1) ESTABLISH A PROCEDURE FOR REPORTING POTENTIAL
17 INSTANCES OF HUMAN TRAFFICKING BY:

18 (I) AN EMPLOYEE TO THE INNKEEPER; OR

19 (II) THE INNKEEPER TO THE GOVERNOR'S OFFICE OF CRIME
20 PREVENTION, YOUTH, AND VICTIM SERVICES;

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

23 (I) RECOGNIZE POTENTIAL VICTIMS OF HUMAN TRAFFICKING;

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

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

28 (3) POST PROMINENTLY THE SIGN DEVELOPED BY THE DEPARTMENT
29 UNDER § 15-207 OF THIS SUBTITLE IN A LOCATION CONSPICUOUS TO THE
30 INNKEEPER'S EMPLOYEES.

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