

HOUSE BILL 673

C2, E4

7lr2318

By: **Delegate Chang**

Introduced and read first time: February 1, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Innkeepers – Records, Human Trafficking Awareness**
3 **Training, and Hourly Accommodations**

4 FOR the purpose of requiring a certain innkeeper to maintain a certain record-keeping
5 system of guest transactions and receipts; requiring that certain records be kept for
6 a certain period; requiring the Governor's Office of Crime Control and Prevention
7 and the Department of Labor, Licensing, and Regulation to develop a certain
8 training program for identification and reporting of suspected human trafficking;
9 providing certain requirements for a certain training program; requiring a certain
10 innkeeper to ensure that certain employees receive certain training; requiring, on an
11 annual basis, an innkeeper to make a certain certification to the Department of
12 Labor, Licensing, and Regulation; prohibiting a certain innkeeper from offering an
13 hourly rate for a certain sleeping accommodation; and generally relating to
14 innkeepers and human trafficking.

15 BY repealing and reenacting, without amendments,
16 Article – Business Regulation
17 Section 15–201 and 15–207
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2016 Supplement)

20 BY adding to
21 Article – Business Regulation
22 Section 15–208
23 Annotated Code of Maryland
24 (2015 Replacement Volume and 2016 Supplement)

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

27 **Article – Business Regulation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15–201.

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

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

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

9 15–207.

10 (a) (1) The Department shall design a sign that states the following:

11 “REPORT HUMAN TRAFFICKING: National Human Trafficking Resource Center
12 — 1–888–373–7888. CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

- 13 • Is being forced to have sex without consent
14 • Has had an ID or documents taken away
15 • Is being threatened by or is in debt to an employer
16 • Wants to leave a job but cannot freely do so.

17 TOLL–FREE. 24/7. CONFIDENTIAL. INTERPRETERS AVAILABLE.

18 This sign is required under State law.”

19 (2) The sign shall:

20 (i) be at least 3 by 5 inches in size;

21 (ii) contain the text required under paragraph (1) of this subsection
22 in English, Spanish, and any other languages required by the federal Voting Rights Act;

23 (iii) draw attention to the phone number of the National Human
24 Trafficking Resource Center Hotline by showing the phone number in bold type; and

25 (iv) be placed on the Department Web site.

26 (b) (1) A State, county, or municipal law enforcement agency may issue a civil
27 citation to a lodging establishment requiring it to post prominently in each guest room for
28 1 year the sign that is identical to the notice required to be placed on the Web site of the
29 Department under subsection (a) of this section, if the lodging establishment is located on
30 property where arrests leading to convictions of prostitution, solicitation of a minor, or
31 human trafficking under Title 11, Subtitle 13 of the Criminal Law Article have occurred.

(2) A State, county, or municipal law enforcement agency shall consider any assistance it receives from a lodging establishment in an investigation leading to a conviction under paragraph (1) of this subsection in determining whether to issue a citation under this subsection.

(c) (1) The owner of a lodging establishment that violates subsection (b)(1) of this section is subject to a civil penalty not exceeding \$1,000.

(2) Each guest room that does not have a sign is not a separate violation.

15-208.

(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 CONTROL AND PREVENTION AND THE DEPARTMENT SHALL DEVELOP AN EDUCATIONAL TRAINING PROGRAM AND A REFRESHER TRAINING PROGRAM 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.

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

(2) ON OR BEFORE OCTOBER 1, 2018, 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.

1 **(D) AN INNKEEPER MAY NOT OFFER AN HOURLY RATE FOR ANY SLEEPING**
2 **ACCOMMODATION MAINTAINED BY THE LODGING ESTABLISHMENT.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2017.