

STATE OF NEW YORK

5955--A

2017-2018 Regular Sessions

IN SENATE

May 8, 2017

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to human trafficking awareness and training

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 205 to read as follows:

3 § 205. Human trafficking awareness and training. 1. Human trafficking
4 recognition training program. a. For purposes of this section, "lodging
5 facility" shall mean any inn, hotel, motel, motor court or other estab-
6 lishment that provides lodging to transient guests. Such term shall not
7 include an establishment treated as a dwelling unit for the purposes of
8 any state or local law or regulation or an establishment located within
9 a building that has five or less rooms for rent or hire and that is
10 actually occupied as a residence by the proprietor of such establish-
11 ment.

12 b. Every lodging facility shall require all employees who are likely
13 to interact or come into contact with guests to undergo a human traf-
14 ficking recognition training program to provide training in the recogni-
15 tion of a human trafficking victim as defined in section four hundred
16 eighty-three-aa of the social services law. Such training program shall
17 be approved by the division of criminal justice services and the office
18 of temporary and disability assistance in consultation with the New York
19 state interagency task force on human trafficking. The training program
20 may be developed by a federal, state, or non-profit organization, and
21 may be incorporated as part of the lodging facility's existing training
22 programs or may be provided by organizations or providers identified by

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 the commissioner of the division of criminal justice services or the
2 commissioner of the office of temporary and disability assistance,
3 provided that the training includes all of the requirements of this
4 section. Approved training programs may be made available through meth-
5 ods including, but not limited to, in-person instruction, electronic and
6 video communication, or online programs.

7 c. Any human trafficking recognition training program approved by the
8 division of criminal justice services and the office of temporary and
9 disability assistance in consultation with the New York state interagen-
10 cy task force on human trafficking as required in this section shall
11 address no less than the following issues:

- 12 (i) the nature of human trafficking;
13 (ii) how human trafficking is defined in law;
14 (iii) how to identify victims of human trafficking;
15 (iv) relief and recovery options for survivors; and
16 (v) social and legal services available to victims.

17 d. The commissioner of the division of criminal justice services and
18 the commissioner of the office of temporary and disability assistance
19 shall make available no more than six months after the effective date of
20 this section a list of approved human trafficking recognition programs
21 for use by a lodging facility.

22 e. The training shall take place on the premises of the lodging facil-
23 ity and shall be considered compensable time.

24 2. Record keeping requirements of human trafficking recognition train-
25 ing. Every keeper of each lodging facility shall maintain records indi-
26 cating that each employee required to undergo an approved human traf-
27 ficking recognition training program pursuant to this section has
28 completed such training. Such records shall be kept on file by the
29 lodging facility for the period during which the employee is employed by
30 the lodging facility and for one year after such employment ends.

31 3. Posting of notice concerning services for human trafficking
32 victims. Every keeper of a lodging facility shall post in plain view and
33 in a conspicuous place and manner in the public restrooms, and, if prac-
34 ticable, in the individual guest rooms, and near the public entrance or
35 in another conspicuous location in clear view of the public and the
36 employees where similar notices are customarily posted of such lodging
37 facility, a notice developed by the office of temporary and disability
38 assistance in consultation with the New York state interagency task
39 force on human trafficking which shall include the national human traf-
40 ficking hotline telephone number. Such notice shall also be displayed,
41 if practicable, on the internet reservation website of such lodging
42 facility or on the internet platform of a room remarketer, as defined in
43 paragraph eight of subdivision (c) of section eleven hundred one of the
44 tax law.

45 § 2. This act shall take effect on the one hundred eightieth day after
46 it shall have become a law; provided however, that effective immediate-
47 ly, the commissioner of the division of criminal justice services and
48 the commissioner of the office of temporary and disability assistance
49 may make regulations and take other actions necessary to implement this
50 act on its effective date.