STATE OF NEW YORK

2732

2019-2020 Regular Sessions

IN SENATE

January 29, 2019

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to employee human trafficking recognition training in gaming facilities

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

Section 1. The general business law is amended by adding a new section 210 to read as follows:

§ 210. Human trafficking recognition training. 1. Human trafficking recognition training program. a. Any establishment that constitutes a gaming facility as defined by subdivision twenty-three of section thirteen hundred one of the racing, pari-mutuel wagering and breeding law, shall require all employees to undergo a human trafficking recognition training program which shall be established or approved by the division of criminal justice services and the office of temporary and disability assistance in consultation with the New York state interagency task force on human trafficking. However, for class III gaming establishments authorized under the Indian Gaming Regulatory Act, 25 U.S.C. § 2701, et seq., the gaming commission shall make available, upon request, such human-trafficking recognition training program.

b. The training program may be developed by a federal, state, or nonprofit organization, and may be incorporated as part of the gaming facility's existing training programs or may be provided by organizations or providers identified by the commissioner of the division of criminal justice services or the commissioner of the office of temporary and disability assistance, provided that the training includes all of the requirements of this section. Established or approved training programs may be made available through methods including, but not limited to, in-person instruction, electronic and video communication, or online programs.

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

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c. Any human trafficking recognition training program established or approved by the division of criminal justice services and the office of temporary and disability assistance in consultation with the New York state interagency task force on human trafficking as required by this section shall address no less than the following issues:

(i) the nature of human trafficking;

(ii) how human trafficking is defined in law;

(iii) how to identify victims of human trafficking;

(iv) relief and recovery options for survivors; and

(v) social and legal services available to victims.

d. The commissioner of the division of criminal justice services and the commissioner of the office of temporary and disability assistance shall make available a list of established or approved human trafficking recognition programs for use by a gaming facility.

e. All new employees required to receive human trafficking recognition training shall receive such training within their first month of employment.

f. The training shall take place on the premises of the gaming facility and shall be considered compensable time.

2. Record keeping requirements of human trafficking recognition training. Every keeper of each gaming facility shall maintain records indicating that each employee required to undergo an established or approved human trafficking recognition training program pursuant to this section has completed such training. Such records shall be kept on file by the gaming facility for the period during which the employee is employed by the gaming facility and for one year after such employment ends.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law; provided however, paragraph d of subdivision 1 of section 210 of the general business law as added by section 1 of this act, shall take effect immediately; provided further that all current employees of gaming facilities on the effective date of this act shall receive human-trafficking recognition training pursuant to this act within four months of the effective date of this act.