

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **Senate Bill 472**

By Senators Chapman and Caputo

[Introduced January 16, 2024; referred  
to the Committee on Government Organization; and  
then to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §16-6-26, relating to requiring hotels and public lodging establishments to  
 3 provide human trafficking awareness training to employees; and providing for enforcement  
 4 and rulemaking.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 6. HOTELS AND RESTAURANTS.**

**§16-6-26. Human trafficking awareness training and policies for employees of hotels and public lodging establishments; enforcement.**

1 (a) A hotel or public lodging establishment shall:

2 (1) Provide annual training regarding human trafficking awareness to employees of the  
 3 establishment who perform housekeeping duties in the rental units or who work at the front desk or  
 4 reception area where guests ordinarily check in or check out. Such training must also be provided  
 5 for new employees within 60 days after they begin their employment in those roles, or by January  
 6 1, 2025, whichever occurs later. Each employee must submit to the hiring establishment a signed  
 7 and dated acknowledgement of having received the training, which establishment must provide to  
 8 the Department of Health upon request.

9 (2) By January 1, 2025, implement a procedure for the reporting of suspected human  
 10 trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.

11 (3) By January 1, 2025, post in a conspicuous location in the establishment which is  
 12 accessible to employees a human trafficking public awareness sign at least 11 inches by 15 inches  
 13 in size, printed in an easily legible font and in at least 32-point type, which states in English and  
 14 Spanish and any other language predominantly spoken in that area which the department deems  
 15 appropriate substantially the following:

16 "If you or someone you know is being forced to engage in an activity and cannot leave,  
 17 whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any  
 18 other activity, call the National Human Trafficking Resource Center at 888-373-7888 or text INFO

19 or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are  
20 protected under United States and West Virginia Law.

21 (b) The human trafficking awareness training required under this section must be  
22 submitted to and approved by the Department of Health or by a local or state law enforcement  
23 agency, and must include all of the following:

24 (1) The definition of human trafficking and the difference between the two forms of human  
25 trafficking: sex trafficking and labor trafficking;

26 (2) Guidance specific to the hotel and public lodging sector concerning how to identify  
27 individuals who may be victims of human trafficking; and

28 (3) Guidance concerning the role of the employees of a hotel or public lodging  
29 establishment in reporting and responding to suspected human trafficking.

30 (c) For a violation committed on or after July 1, 2026, the Department of Health shall  
31 impose an administrative fine of \$2,000 per day on a hotel or public lodging establishment that is  
32 not in compliance with this section, unless the Department of Health receives adequate written  
33 documentation from the hotel or public lodging establishment which provides assurance that each  
34 deficiency will be corrected within 45 days after the Department of Health provided the hotel or  
35 public lodging establishment with notice of its violation. For a second or subsequent violation of  
36 this section committed on or after July 1, 2026, the Department of Health may not provide a  
37 correction period to a hotel or public lodging establishment and must impose and collect the  
38 applicable administrative fines.

39 (d) This section does not establish a private cause of action. This section does not alter or  
40 limit any other existing remedies available to survivors of human trafficking.

41 (e) The Department of Health shall make such rules and regulations, not inconsistent with  
42 law, as in their judgment are necessary to carry out the provisions of this section.

NOTE: The purpose of this bill is to require a hotel or public lodging establishment to provide annual training regarding human trafficking awareness to employees, and to provide for enforcement and rulemaking.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.