
A BILL FOR AN ACT

RELATING TO HUMAN TRAFFICKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 28, Hawaii Revised Statutes, is amended
2 by adding a new section to part XIII to be appropriately
3 designated and to read as follows:

4 "§28- Human trafficking awareness training program;
5 transient accommodations sector. (a) No later than July 1,
6 2027, the department of the attorney general shall develop a
7 human trafficking awareness training program for the purpose of
8 educating and training workers in the transient accommodations
9 sector. The training program shall include but not be limited
10 to the following components:

- 11 (1) Definitions of human trafficking and the commercial
12 exploitation of children;
13 (2) Explanation of the differences between labor
14 trafficking and sex trafficking, as they relate to the
15 transient accommodations sector;
16 (3) Guidance on indicators of human trafficking, including
17 the identification of:



- 1 (A) Individuals who may be vulnerable to or are
2 victims of human trafficking; and
- 3 (B) Individuals who may be engaged in human
4 trafficking activity;
- 5 (4) Guidance on the appropriate response and reporting
6 procedures for transient accommodations workers when
7 indicators of human trafficking are observed; and
- 8 (5) Contact information for:
- 9 (A) The National Human Trafficking Hotline toll-free
10 number and text line; and
- 11 (B) Appropriate local law enforcement agencies.
- 12 (b) A transient accommodations employer or transient
13 accommodations third-party contractor may submit a human
14 trafficking awareness training program developed by a party
15 other than the department of the attorney general for approval
16 by the department as an alternative to the training program
17 developed pursuant to subsection (a). The department of the
18 attorney general shall not approve any externally developed
19 training program unless it complies with all the requirements of
20 subsection (a). The department of the attorney general shall
21 review the externally developed training program and either



1 approve or disapprove its use within sixty days of written
2 receipt of the externally developed training program.

3 (c) For the purposes of this section:

4 "Transient accommodations" has the same meaning as in
5 section 237D-1.

6 "Transient accommodations employer" has the same meaning as
7 in section 353C- .

8 "Transient accommodations third-party contractor" has the
9 same meaning as in section 353C- ."

10 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§353C- Human trafficking awareness; transient
14 accommodations sector; training; records; signage; reporting;
15 penalties. (a) No later than December 1, 2027, every transient
16 accommodations employer or transient accommodations third-party
17 contractor shall provide human trafficking awareness training
18 developed or approved pursuant to section 28- to its
19 employees and contract workers, as applicable, within one
20 hundred eighty days of employment or placement, as applicable,
21 and at least every two years thereafter.



1 (b) Each transient accommodations employer and transient
2 accommodations third-party contractor providing human
3 trafficking awareness training under this section shall maintain
4 records documenting the completion of the required training by
5 its employees and contract workers, as applicable, pursuant to
6 rules adopted by the department. The director or the director's
7 authorized representative shall, for the purpose of examination,
8 have access to and the right to copy the records. Every
9 transient accommodations employer and transient accommodations
10 third-party contractor shall furnish to the director or the
11 director's authorized representative any information relating to
12 the training of employees and contract workers pursuant to this
13 section in any manner as the director may prescribe.

14 (c) No later than January 1, 2028, every transient
15 accommodations employer and transient accommodations third-party
16 contractor shall post and keep posted in a conspicuous place
17 readily accessible to its employees and contract workers, as
18 applicable, signage regarding human trafficking awareness in a
19 form prescribed by the department by rule; provided that the
20 signage shall be printed in an easily legible font in English



1 and any other language spoken by at least ten per cent of its
2 employees and contract workers.

3 (d) No later than September 1, 2027, every transient
4 accommodations employer and transient accommodations third-party
5 contractor shall develop and implement a human trafficking
6 prevention policy that shall:

7 (1) Apply to all of its employees and contract workers, as
8 applicable; and

9 (2) Include procedures for the reporting of suspected
10 human trafficking to the National Human Trafficking
11 Hotline or to a local law enforcement agency.

12 (e) A transient accommodations employer or its employee or
13 a transient accommodations third-party contractor or its
14 contract worker who in good faith complies with this section or
15 reports suspected human trafficking pursuant to policies adopted
16 pursuant to this section shall not be subject to civil or
17 criminal liability for any act or omission arising out of or
18 related to human trafficking committed by a third party, unless
19 the employer, third-party contractor, employee, or contract
20 worker knowingly assists in the commission of human trafficking.



1 (f) Any transient accommodations employer or transient
2 accommodations third-party contractor who violates this section
3 shall be fined no more than \$100 for each separate offense.
4 Each day the violation continues shall constitute a separate
5 offense. Any action taken to impose or collect the penalty
6 provided for in this subsection shall be considered a civil
7 action.

8 (g) The department shall, in consultation with the
9 department of the attorney general, adopt rules pursuant to
10 chapter 91 necessary to carry out the purposes of this section.

11 (h) For purposes of this section:

12 "Contract worker" means an individual employed by a
13 transient accommodations third-party contractor who, pursuant to
14 a contract for services with a transient accommodations
15 employer, has contact with guests or access to guest rooms of
16 the transient accommodations.

17 "Employee" means an individual employed by a transient
18 accommodations employer who has contact with guests or access to
19 guest rooms of the transient accommodations.

20 "Transient accommodations" has the same meaning as in
21 section 237D-1.



1 "Transient accommodations employer" means an employer that
2 owns, operates, manages, or controls transient accommodations
3 located in the State, and:

4 (1) Employs one or more employees; or

5 (2) Contracts with a transient accommodations third-party
6 contractor for the services of one or more contract
7 workers.

8 "Transient accommodations third-party contractor" means any
9 person who, for a fee or other valuable consideration exacted,
10 charged, or received, furnishes or supplies contract workers for
11 placement with a transient accommodations employer upon
12 request."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on March 22, 2075.



Report Title:

AG; DLE; Human Trafficking Awareness; Transient Accommodations Sector; Training; Signage; Reporting; Penalties; Rules

Description:

Requires the Department of the Attorney General to develop a Human Trafficking Awareness Training Program to educate and train workers in the transient accommodations sector. Requires transient accommodations employers or transient accommodations third-party contractors to periodically provide the human trafficking awareness training to certain employees and contract workers, keep records of the training, post signage, and develop and implement a human trafficking prevention policy that includes procedures for the reporting of suspected human trafficking. Establishes penalties. Requires the Department of Law Enforcement to adopt rules. Effective 3/22/2075. (SD1)

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