

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 320

Introduced by Sanders, 45.

Read first time January 16, 2025

Committee: Business and Labor

1 A BILL FOR AN ACT relating to human trafficking; to amend sections
2 81-1430 and 81-1431, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to the human trafficking task force; to require
4 hotels and similar public lodging establishments place posters
5 relating to human trafficking in such establishments; to provide for
6 training on human trafficking to employees and similar public
7 lodging establishments; to provide powers and duties to the
8 Department of Labor; to limit the liability of owners, operators,
9 and employees of a hotel or similar public lodging establishment
10 relating to human trafficking committed by a third party; to
11 harmonize provisions; and to repeal the original sections.
12 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 81-1430, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-1430 (1) A task force is hereby established within the Nebraska
4 Commission on Law Enforcement and Criminal Justice for the purposes of
5 investigating and studying human trafficking, the methods for advertising
6 human trafficking services, and the victimization of individuals coerced
7 to participate in human trafficking.

8 (2) The task force shall examine the extent to which human
9 trafficking is prevalent in this state, the scope of efforts being taken
10 to prevent human trafficking from occurring, and the services available
11 to victims of human trafficking in this state. The task force shall
12 utilize information and research available from the Innocence Lost
13 National Initiative. The task force shall research and recommend a model
14 of rehabilitative services for victims of human trafficking that includes
15 input from the areas of law enforcement, social services, the legal
16 profession, the judiciary, mental health, and immigration. The task force
17 shall also investigate the limitations upon victims who wish to come
18 forward and seek medical attention; investigate the potential to stop
19 human trafficking; and investigate the potential to promote recovery, to
20 protect families and children who may be profoundly impacted by such
21 abuse, and to save lives.

22 (3)(a) The Department of Labor shall work with the task force to
23 develop or select informational posters for placement around the state.
24 The posters shall be in English, Spanish, and any other language deemed
25 appropriate by the task force. The posters shall include a toll-free
26 telephone number a person may call for assistance, preferably the
27 National Human Trafficking Resource Center Hotline (888)373-7888.

28 (b) Posters shall be placed in rest stops, strip clubs, ~~and~~ casinos,
29 and hotels and similar public lodging establishments. The task force
30 shall work with local businesses and nonprofit entities associated with
31 the prevention of human trafficking to voluntarily place additional signs

1 in high schools, postsecondary educational institutions, gas stations,
2 ~~hotels~~, hospitals, health care clinics, urgent care centers, airports,
3 train stations, bus stations, and other locations around the state deemed
4 appropriate by the task force.

5 (4) The task force shall consist of the following members:

6 (a) The Attorney General or his or her designee;

7 (b) The executive director of the Nebraska Commission on Law
8 Enforcement and Criminal Justice;

9 (c) The Superintendent of Law Enforcement and Public Safety or his
10 or her designee;

11 (d) The Director of Correctional Services or his or her designee;

12 (e) The chief of police or director of public safety of a city of
13 two hundred thousand inhabitants or more as determined by the most recent
14 federal decennial census or the most recent revised certified count by
15 the United States Bureau of the Census;

16 (f) The chief of police or director of public safety of a city of
17 less than two hundred thousand inhabitants as determined by the most
18 recent federal decennial census or the most recent revised certified
19 count by the United States Bureau of the Census;

20 (g) A county sheriff;

21 (h) A county attorney;

22 (i) A county commissioner;

23 (j) A mayor or city manager;

24 (k) A person involved with the control or prevention of juvenile
25 delinquency;

26 (l) A person involved with the control or prevention of child abuse;

27 (m) The Commissioner of Education or his or her designee;

28 (n) The director of the Commission on Latino-Americans or his or her
29 designee; and

30 (o) Six members, at least three of whom shall be women, from the
31 public at large.

1 (5) The Governor shall appoint the members of the task force listed
2 in subdivisions (4)(e) through (l) and (o) of this section for terms as
3 provided in subsection (6) of this section. The membership of the task
4 force shall represent varying geographic areas and large and small
5 political subdivisions. One member from the public at large shall be a
6 professional representing child welfare, and one member of the public at
7 large shall represent juvenile pretrial diversion programs.

8 (6) The members of the task force appointed by the Governor shall
9 serve six-year terms, except that of the members first appointed, four
10 shall serve initial two-year terms, four shall serve initial four-year
11 terms, and six shall serve initial six-year terms from January 1 next
12 succeeding their appointments. Thereafter, all members shall serve six-
13 year terms. A member may be reappointed at the expiration of his or her
14 term. Any vacancy occurring otherwise than by expiration of a term shall
15 be filled for the balance of the unexpired term in the same manner as the
16 original appointment.

17 (7) No member shall serve beyond the time when he or she holds the
18 office, employment, or status by reason of which he or she was initially
19 eligible for appointment. Any member of the task force appointed by the
20 Governor may be removed from the task force for cause upon notice and an
21 opportunity to be heard at a public hearing. One of the causes for
22 removal shall be absence from three regularly scheduled meetings of the
23 task force during any six-month period when the member has failed to
24 advise the task force in advance of such meeting that he or she will be
25 absent and stating a reason therefor.

26 (8) The chairperson of the task force shall be designated by the
27 Governor to serve at the pleasure of the Governor. The chairperson shall
28 be the chief executive officer of the task force but may delegate such of
29 his or her duties to other members of the task force as may be authorized
30 by the task force.

31 (9) Notwithstanding any provision of law, ordinance, or charter

1 provision to the contrary, membership on the task force shall not
2 disqualify any member from holding any other public office or employment
3 or cause the forfeiture thereof.

4 (10) The members of the task force shall serve on the task force
5 without compensation, but they shall be entitled to receive reimbursement
6 for expenses incurred incident to such service as provided in sections
7 81-1174 to 81-1177.

8 (11) Eleven members of the task force shall constitute a quorum for
9 the transaction of any business or the exercise of any power of the task
10 force. The task force shall have the power to act by a majority of the
11 members present at any meeting at which a quorum is in attendance.

12 (12) Every July 1 and December 1, the task force shall report
13 electronically to the Clerk of the Legislature the results of its
14 investigation and study and its recommendations, if any, together with
15 drafts of legislation necessary to carry its recommendations into effect
16 by filing the report with the clerk.

17 **Sec. 2.** Section 81-1431, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 81-1431 (1) It is the intent of the Legislature that law enforcement
20 agencies, prosecutors, public defenders, judges, juvenile detention
21 center staff, and others involved in the juvenile justice system and the
22 criminal justice system and other relevant officials be provided
23 mandatory training regarding issues in human trafficking. The task force
24 established in section 81-1430 shall work with such agencies, persons,
25 and staff to develop a proper curriculum for the training and to
26 determine how the training should be provided. ~~The determination and~~
27 ~~accompanying legislative recommendations shall be made by December 1,~~
28 ~~2012.~~ Such training shall focus on:

29 (a) State and federal law regarding human trafficking;

30 (b) Methods used in identifying victims of human trafficking who are
31 United States citizens and foreign nationals, including preliminary

1 interview techniques and appropriate questioning methods;

2 (c) Methods for prosecuting human traffickers;

3 (d) Methods of increasing effective collaboration with
4 nongovernmental organizations and other relevant social service
5 organizations in the course of investigating and prosecuting a human
6 trafficking case;

7 (e) Methods for protecting the rights of victims of human
8 trafficking, taking into account the need to consider human rights and
9 the special needs of women and minor victims;

10 (f) The necessity of treating victims of human trafficking as crime
11 victims rather than as criminals; and

12 (g) Methods for promoting the safety and well-being of all victims
13 of human trafficking.

14 (2) Employees of hotels and similar public lodging establishments
15 may be provided training regarding issues in human trafficking. The task
16 force established in section 81-1430 may work with the Department of
17 Labor and hotels and similar public lodging establishments to approve
18 such training and determine how such training should be provided. Such
19 training may include:

20 (a) The definition of human trafficking and the commercial
21 exploitation of children;

22 (b) Guidance on how to identify individuals at risk for human
23 trafficking;

24 (c) Guidance on how to identify the signs of human trafficking and
25 any individual potentially engaged in human trafficking;

26 (d) Differences between labor trafficking and sex trafficking,
27 specific to the hotel and public lodging sector;

28 (e) Guidance on the role of hospitality employees in reporting and
29 responding to potential or suspected human trafficking; and

30 (f) The contact information for the National Human Trafficking
31 Resource Center Hotline toll-free telephone number and text line and

1 contact information for local law enforcement.

2 (3) (2) The task force shall also seek the input and participation
3 of appropriate nongovernmental organizations and other relevant
4 organizations regarding the provision, preparation, and presentation of
5 the training called for in this section.

6 **Sec. 3. (1) For purposes of this section:**

7 (a) Hotel means a facility in which the public may, for a
8 consideration, obtain sleeping accommodations. Hotel includes hotels,
9 motels, tourist homes, campgrounds, courts, lodging houses, inns, state-
10 operated hotels, and nonprofit hotels but does not include hospitals,
11 sanitariums, nursing homes, long-term care facilities, or dormitories or
12 facilities operated by an educational institution and regularly used to
13 house students; and

14 (b) Human trafficking means labor trafficking, labor trafficking of
15 a minor, sex trafficking, or sex trafficking of a minor as those terms
16 are defined in section 28-830.

17 (2) Any person, firm, or corporation that owns or operates a hotel
18 or similar public lodging establishment may:

19 (a) Provide to all employees of such hotel or public lodging
20 establishment within the State of Nebraska training on human trafficking
21 that has been approved pursuant to subsection (2) of section 81-1431
22 within one hundred eighty days of being employed at such hotel or public
23 lodging establishment;

24 (b) Implement procedures for the reporting of suspected human
25 trafficking to the National Human Trafficking Resource Center Hotline or
26 to a local enforcement agency; and

27 (c) Implement a human trafficking prevention policy for employees of
28 the hotel or establishment within the State of Nebraska.

29 (3) An owner, operator, or employee of a hotel or similar public
30 lodging establishment who implements the training and policies as
31 prescribed in subsection (2) of this section shall not be liable for any

1 act or omission arising out of or related to human trafficking committed
2 by a third party occurring at such hotel or establishment unless the
3 owner, operator, or employee of the hotel or establishment knowingly
4 assists the commission of human trafficking.

5 (4) The Department of Labor may adopt and promulgate rules and
6 regulations to carry out this section.

7 **Sec. 4.** Original sections 81-1430 and 81-1431, Reissue Revised
8 Statutes of Nebraska, are repealed.