

Department of Legislative Services
Maryland General Assembly
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FISCAL AND POLICY NOTE

Senate Bill 352

(Senator Forehand, *et al.*)

Judicial Proceedings

Economic Matters

National Human Trafficking Resource Center Hotline Information - Sign Posting Requirements

This bill requires the State Highway Administration (SHA) and a business owner of a bus station or “truck stop” to post a specified National Human Trafficking Resource Center (NHTRC) hotline information sign in restrooms. A “truck stop” is a facility (1) whose primary purpose is to provide services to long-haul truck drivers; and (2) that provides shower facilities to truck drivers for a fee or parking for truck drivers’ vehicles. The bill is limited to (1) privately owned bus stations and truck stops; and (2) SHA rest areas within the right-of-way of an interstate or State highway. The sign must be posted on the inside of each stall door or on the back of the door at the entrance to the restroom. An agency that enforces the bill must notify the business owner of the bus station or truck stop of any violations. A bus station or truck stop business owner must post the signs within 24 hours after receiving a notice of a violation, and if the signs are not posted in that timeframe, the business owner is subject to a civil penalty of up to \$1,000. Each restroom in which a bus station or truck stop business owner fails to post a sign is a separate violation.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by up to \$3,500 in FY 2013 to post signs. State law enforcement can handle the bill’s provisions with existing resources. Potential minimal increase in general fund revenues due to the bill’s penalty provisions.

Local Effect: The bill is not expected to materially affect local operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: Chapters 576 and 577 of 2010 authorize law enforcement to issue a civil citation to require the posting of signs in lodging establishments where arrests leading to convictions for prostitution, solicitation of a minor, or human trafficking have occurred. In determining whether to issue a citation, law enforcement must consider any assistance it receives from a lodging establishment in an investigation leading to a conviction for a predicate violation.

The required sign must be developed by the Department of Labor, Licensing, and Regulation (DLLR) and posted on DLLR's website. The sign must include specified information about human trafficking and the contact number for a national resource center hotline. Additionally, the sign has to be at least 3x5 inches in size and in multiple languages, at least English, Spanish, and any other language required for a jurisdiction under the federal Voting Rights Act. Violators are subject to a civil penalty of up to \$1,000. Each guest room that does not have a sign is not a separate violation.

Background: Human trafficking is an umbrella term used to describe the activities involved when someone obtains or holds a person in compelled service. Major forms of human trafficking include forced labor, sex trafficking, bonded labor, debt bondage, involuntary domestic servitude, forced child labor, child soldiers, and child sex trafficking. According to the U.S. Department of State's 2010 *Trafficking in Persons* report, 12.3 million adults and children are in forced labor, bonded labor, and forced prostitution around the world and 56% of these victims are women and girls. The report estimates that there is a \$32 billion annual trade for human trafficking.

The U.S. Department of Health and Human Services (DHHS) funds the NHTRC hotline, which is available to answer calls 24 hours a day, 365 days a year. The NHTRC hotline provides callers with a wide range of services such as crisis intervention, urgent and nonurgent referrals, and anti-trafficking resources and technical assistance. Through the hotline, DHHS seeks to provide up-to-date resources on human trafficking; increase access to services for foreign U.S. citizens, including victims; and provide law enforcement and social service providers with tools to identify human trafficking victims in their communities.

State Expenditures: TTF expenditures increase by up to \$3,500 in fiscal 2013 to manufacture signs for restrooms at 10 SHA rest areas. This estimate assumes the Maryland Department of Transportation absorbs any costs associated with posting and maintaining the signs in fiscal 2013 and subsequent years.

Additional Information

Prior Introductions: HB 1304 of 2011 passed in the House but received no further action from the Senate Judicial Proceedings Committee.

Cross File: HB 607 (Delegate Hucker, *et al.*) - Economic Matters.

Information Source(s): Baltimore, Charles, and Frederick counties; Department of Health and Mental Hygiene; Department of Labor, Licensing, and Regulation; Maryland Department of Transportation; U.S. Department of Health and Human Services; U.S. Department of State; Department of Legislative Services

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