

AN ACT concerning employment.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Lodging Services Human Trafficking Recognition Training Act is amended by changing Sections 1, 5, 10, and, 15 and by adding Section 20 as follows:

(820 ILCS 95/1)

Sec. 1. Short title. This Act may be cited as the ~~Lodging Services~~ Human Trafficking Recognition Training Act.

(Source: P.A. 101-18, eff. 6-20-19; 101-499, eff. 8-23-19.)

(820 ILCS 95/5)

Sec. 5. Definitions. In this Act:

"Department" means the Department of Human Services.

"Employee" means a person employed by a lodging establishment, restaurant, or truck stop who has recurring interactions with the public, including, but not limited to, an employee who works in a reception area, performs housekeeping duties, helps customers in moving their possessions, or transports by vehicle customers of the lodging establishment, restaurant, or truck stop.

"Employer" means a person or entity that operates a lodging establishment, restaurant, or truck stop.

"Human trafficking" means the deprivation or violation of the personal liberty of another with the intent to obtain forced labor or services, procure or sell the individual for commercial sex, or exploit the individual in obscene matter. Depriving or violating a person's liberty includes substantial and sustained restriction of another's liberty accomplished through fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, under circumstances where the person receiving or apprehending the threat reasonably believes that it is likely that the person making the threat would carry it out.

"Lodging establishment" means an establishment classified as a hotel or motel in the 2017 North American Industry Classification System under code 721110, and an establishment classified as a casino hotel in the 2017 North American Industry Classification System under code 721120.

"Restaurant" means any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.

"Truck stop" means an establishment intended to provide services to the trucking industry, including, but not limited to, selling fuel and food, providing showers, offering repair services, and offering ample room where drivers of long-haul trucks can park and rest.

(Source: P.A. 101-18, eff. 6-20-19; 101-499, eff. 8-23-19;

102-324, eff. 1-1-22.)

(820 ILCS 95/10)

Sec. 10. Human trafficking recognition training. An employer ~~Beginning June 1, 2020, a lodging establishment, restaurant, or truck stop~~ shall provide its employees with training in the recognition of human trafficking and protocols for reporting observed human trafficking to the appropriate authority. The employees shall ~~must~~ complete the training within 6 months after beginning employment in such role with the employer ~~lodging establishment~~ and every 2 years thereafter, if still employed by the employer ~~lodging establishment~~. The training shall be at least 20 minutes in duration.

(Source: P.A. 101-18, eff. 6-20-19; 101-499, eff. 8-23-19; 102-324, eff. 1-1-22.)

(820 ILCS 95/15)

Sec. 15. Human trafficking recognition training curriculum.

(a) An employer ~~A lodging establishment~~ may use its own human trafficking training program or that of a third party and be in full compliance with this Act if the human trafficking training program includes, at a minimum, all of the following:

(1) a definition of human trafficking and commercial

exploitation of children;

(2) guidance on how to identify individuals who are most at risk for human trafficking;

(3) the difference between human trafficking for purposes of labor and for purposes of sex as the trafficking relates to the employer's business ~~lodging establishments~~; and

(4) guidance on the role of ~~lodging establishment~~ employees in reporting and responding to instances of human trafficking.

(b) The Department shall develop a curriculum for an approved human trafficking training recognition program which shall be used by an employer ~~a lodging establishment~~ that does not administer its own human trafficking recognition program as described in subsection (a). The human trafficking training recognition program developed by the Department shall include, at a minimum, all of the following:

(1) a definition of human trafficking and commercial exploitation of children;

(2) guidance on how to identify individuals who are most at risk for human trafficking;

(3) the difference between human trafficking for purposes of labor and for purposes of sex ~~as the trafficking relates to lodging establishments~~; and

(4) guidance on the role of ~~lodging establishment~~ employees in reporting and responding to instances of

human trafficking.

The Department may consult the United States Department of Justice for the human trafficking recognition training program developed under this subsection. The Department may use a curriculum developed under other laws of the General Assembly if the curriculum satisfies the requirements of this Section.

The Department shall develop and publish the human trafficking recognition training program described in this subsection no later than October 1, 2026 ~~July 1, 2020~~.

(Source: P.A. 101-18, eff. 6-20-19; 101-499, eff. 8-23-19.)

(820 ILCS 95/20 new)

Sec. 20. Penalties.

(a) Beginning October 1, 2026, the Department, a unit of local government regulating an employer, or a law enforcement agency with jurisdiction over an employer may, in the course of its regulatory or enforcement duties, monitor and enforce compliance with this Act. Upon the discovery of a violation of this Act, the Department, unit of local government, or law enforcement agency shall provide the employer with a reasonable notice of noncompliance that informs the employer that if the employer does not cure the violation within 30 days after notice the employer is subject to the penalty described in subsection (b). The notice shall include information concerning where an employer can obtain the training curriculum developed by the Department under subsection (b) of

Section 15.

(b) If the Department, a unit of local government regulating an employer, or a law enforcement agency with jurisdiction over an employer verifies that the violation was not corrected within the cure period described in subsection (a), the Attorney General or State's Attorney may bring a civil action against that employer. An employer that violates this Act is guilty of a business offense and may be fined not more than \$1,500 for each offense.