

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1308
(Representatives Satrom, Brandenburg, Schneider, Ostlie)
(Senators Clemens, Conley)

AN ACT to amend and reenact sections 54-12-33 and 54-12-33.1 of the North Dakota Century Code, relating to duties of the human trafficking commission and immunity for reporting human trafficking; to provide a continuing appropriation; and to provide a contingent effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-12-33 of the North Dakota Century Code is amended and reenacted as follows:

54-12-33. Human trafficking commission.

1. The attorney general ~~may~~shall establish a human trafficking commission, comprised of designees from state, local, and tribal agencies which have contact with victims or perpetrators, nongovernmental organizations that represent or work with victims, and other organizations and individuals, including victims, whose expertise would benefit the commission. ~~The attorney general may establish the commission by appointing an existing statewide coalition.~~In addition to the attorney general designees, the commission must include:
 - a. A legislator from the majority party, appointed by the chairman of the legislative management;
 - b. A legislator from the minority party, appointed by the chairman of the legislative management;
 - c. An individual from the department of health and human services child and family services division, appointed by the commissioner of the department of health and human services;
 - d. An individual representing a rural school district, appointed by the superintendent of public instruction;
 - e. An individual representing one of the state's largest ten school districts, appointed by the superintendent of public instruction;
 - f. An individual representing tribal nations, appointed by the North Dakota united tribes tribal chairman's association;
 - g. An individual from the North Dakota state's attorneys' association, appointed by the executive director of the North Dakota state's attorneys' association; and
 - h. An individual from the governor's office, appointed by the governor.
2. The attorney general or the attorney general's designee shall serve as the presiding officer of the commission.
3. The commission shall:
 - a. Collect and evaluate data on human trafficking in this state and submit an annual report to the attorney general, governor, and legislative assembly;
 - b. Promote awareness and provide information to education personnel and the general public about human trafficking, victim remedies and services, and trafficking prevention;

- c. Promote training on human trafficking prevention and victim services for state and local employees and members of regulated occupations and professions who may have recurring contact with victims or perpetrators;
- d. Promote training on human trafficking investigation and prosecution and on missing and murdered indigenous people with the North Dakota state's attorney's association, the North Dakota peace officers standards and training board, and state and local law enforcement agencies;
- e. Present annually regarding human trafficking awareness and prevention at professional development conferences directed toward teachers, administrators, and support staff which are hosted by educational organizations in this state or by the department of public instruction; and
- f. Facilitate annual prevention and awareness education for students on human trafficking and exploitation; and
- g. Conduct other appropriate activities.

SECTION 2. AMENDMENT. Section 54-12-33 of the North Dakota Century Code is amended and reenacted as follows:

54-12-33. Human trafficking commission.

1. The attorney general shall establish a human trafficking commission, comprised of designees from state, local, and tribal agencies which have contact with victims or perpetrators, nongovernmental organizations that represent or work with victims, and other organizations and individuals, including victims, whose expertise would benefit the commission. In addition to the attorney general designees, the commission must include:
 - a. A legislator from the majority party, appointed by the chairman of the legislative management;
 - b. A legislator from the minority party, appointed by the chairman of the legislative management;
 - c. An individual from the department of health and human services child and family services division, appointed by the commissioner of the department of health and human services;
 - d. An individual representing a rural school district, appointed by the superintendent of public instruction;
 - e. An individual representing one of the state's largest ten school districts, appointed by the superintendent of public instruction;
 - f. An individual representing tribal nations, appointed by the North Dakota united tribes tribal chairman's association;
 - g. An individual from the North Dakota state's attorneys' association, appointed by the executive director of the North Dakota state's attorneys' association; and
 - h. An individual from the governor's office, appointed by the governor.
2. The attorney general or the attorney general's designee shall serve as the presiding officer of the commission.
3. The commission shall:

- a. Collect and evaluate data on human trafficking in this state and submit an annual report to the attorney general, governor, and legislative assembly;
- b. Promote awareness and provide information to education personnel and the general public about human trafficking, victim remedies and services, and trafficking prevention;
- c. Promote training on human trafficking prevention and victim services for state and local employees and members of regulated occupations and professions who may have recurring contact with victims or perpetrators;
- d. Promote training on human trafficking investigation and prosecution and on missing and murdered indigenous people with the North Dakota state's attorney's association, the North Dakota peace officers standards and training board, and state and local law enforcement agencies;
- e. Present annually regarding human trafficking awareness and prevention at professional development conferences directed toward teachers, administrators, and support staff which are hosted by educational organizations in this state or by the department of public instruction;
- f. Facilitate annual prevention and awareness education for students on human trafficking and exploitation, in accordance with the new section to chapter 15.1-09, as created by Senate Bill No. 2330, as approved by the sixty-ninth legislative assembly; and
- g. Conduct other appropriate activities.

SECTION 3. AMENDMENT. Section 54-12-33.1 of the North Dakota Century Code is amended and reenacted as follows:

54-12-33.1. Human trafficking prevention training - Exemptions - Immunity - Continuing appropriation.

1. As used in this section:
 - a. "Human trafficking" means human trafficking as defined in chapter 12.1-41.
 - b. "Human trafficking commission" means the commission established under section 54-12-33.
 - c. "Lodging establishment" means any hotel, motel, resort, building, or structure that is used to provide sleeping accommodations to transient guests.
 - d. "Proprietor" means the person in charge of a lodging establishment and includes an owner, lessee, and manager.
 - e. "Regulated occupation or profession" includes a profession regulated by the education standards and practices board, an occupation or profession regulated under title 43, and an attorney licensed to practice law in this state.
2. ~~Within ninety days of the effective date of this section, the~~The human trafficking commission shall establish an educational training program with a focus on the accurate and prompt identification and reporting of, or response to, suspected human trafficking. To the extent possible, the human trafficking commission shall allow the use of existing training modules and materials. The training must include:
 - a. Human trafficking awareness;
 - b. How to recognize potential victims of human trafficking;

- c. How to identify activities commonly associated with human trafficking; and
 - d. Effective responses to human trafficking situations, including how to report suspected human trafficking to law enforcement.
3. A proprietor may:
- a. Provide each onsite employee with the training described in subsection 2.
 - b. In an employee roster or in each employee's personnel file, annually certify each employee has received the training approved by the human trafficking commission.
 - c. Conduct an ongoing awareness campaign for employees which addresses the information described in subsection 2.
4. A proprietor may post and maintain a poster approved and provided by the human trafficking commission which contains the information described in subsection 2. The poster must include the contact information for an organization that provides assistance and support services to human trafficking victims. The poster may be visibly displayed at the lodging establishment's check-in area, lobby, or transient guest services.
5. An entity that regulates an occupation or profession may accept the training described in subsection 2 for continuing education credit.
6. A proprietor or employee of a lodging establishment or a member of a regulated occupation or profession who acts in good faith is immune from liability in any civil action for reporting suspected human trafficking activities but a member of a regulated occupation or profession may be subject to disciplinary action for the reporting if the reporting violates an applicable ethics regulation imposed by the member's regulated occupation or profession.
- 6.7. The human trafficking commission may seek, apply for, accept, and receive any donation, gift, grant, or bequest offered or tendered from public or private sources for the purpose of furthering the objectives of the human trafficking prevention training and incentivizing proprietors and members of a regulated occupation or profession to participate in the human trafficking prevention training. All moneys received or accepted under this subsection are appropriated on a continuing basis to the human trafficking commission.

SECTION 4. CONTINGENT EFFECTIVE DATE. Section 2 of this Act becomes effective if the new section to chapter 15.1-09 of the North Dakota Century Code, as created by Senate Bill No. 2330, is approved by the sixty-ninth legislative assembly.


Speaker of the House


President of the Senate

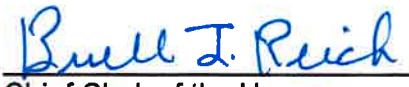

Chief Clerk of the House


Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1308.

House Vote: Yeas 94 Nays 0 Absent 0

Senate Vote: Yeas 46 Nays 1 Absent 0


Chief Clerk of the House

Received by the Governor at 4:35 P M. on April 25th, 2025.

Approved at 1:06 P M. on April 28th, 2025.


Governor

Filed in this office this 28th day of April, 2025,
at 4:52 o'clock P M.


Secretary of State