

SECOND REGULAR SESSION

SENATE BILL NO. 1365

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

5179S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 315.005, RSMo, and to enact in lieu thereof two new sections relating to human trafficking awareness training for lodging and vacation rental operations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 315.005, RSMo, is repealed and two new
2 sections enacted in lieu thereof, to be known as sections
3 315.005 and 315.081, to read as follows:

315.005. As used in sections 315.005 to [315.065]
2 **315.081**, unless the context clearly indicates otherwise, the
3 following terms mean:

4 (1) "Code", the standards relating to fire safety,
5 sanitation, electrical wiring, fuel-burning appliances,
6 plumbing, swimming pools and spas, sewage and waste
7 treatment and disposal as adopted by the department. The
8 department in its discretion, may incorporate, in whole or
9 in part, the standards or codes promulgated by the National
10 Fire Protection Association, Building Officials and Code
11 Administration International, Inc., Great Lakes Upper
12 Mississippi River Board of State Sanitary Engineers, and
13 American Society of Sanitary Engineers;

14 (2) "Department", the director of the department of
15 health and senior services or an agent of the director of
16 the department of health and senior services;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 (3) "Guest room", any room or unit where sleeping
18 accommodations are regularly furnished to the public;

19 (4) "Hosting platform", an electronic platform used by
20 a rental operator to advertise or facilitate the rental of a
21 short-term rental;

22 (5) "Human trafficking", the use of force, fraud, or
23 coercion to obtain some type of labor or commercial sex act
24 as defined in 22 U.S.C. Section 7102 and the commission of
25 an offense created by sections 566.200 to 566.223;

26 (6) "Human trafficking awareness training", training
27 established or approved by the department that includes, but
28 is not limited to, the following components:

29 (a) The definition of human trafficking and commercial
30 exploitation of children;

31 (b) Guidance on how to identify individuals at risk
32 for trafficking;

33 (c) Guidance on how to identify the signs of
34 trafficking and individuals potentially engaged in the act
35 of trafficking;

36 (d) Differences between labor and sex trafficking,
37 specific to the hotel sector;

38 (e) Guidance on the role of hospitality employees in
39 reporting and responding to human trafficking; and

40 (f) The contact information for the national human
41 trafficking hotline toll-free number and text line or
42 contact information for the local law enforcement agency;

43 (7) "Lodging establishment", any building, group of
44 buildings, structure, facility, place, or places of business
45 where five or more guest rooms are provided, which is owned,
46 maintained, or operated by any person and which is kept,
47 used, maintained, advertised or held out to the public for
48 hire which can be construed to be a hotel, motel, motor

49 hotel, apartment hotel, tourist court, resort, cabins,
50 tourist home, bunkhouse, dormitory, or other similar place
51 by whatever name called, and includes all such
52 accommodations operated for hire as lodging establishments
53 for either transient guests, permanent guests, or for both
54 transient and permanent guests;

55 [(5)] (8) "Owner", the person responsible for
56 obtaining a license from the department for operating the
57 lodging establishment;

58 [(6)] (9) "Permanent guest", any person who rents and
59 occupies a guest room in a lodging establishment for a
60 period of thirty-one days or more;

61 [(7)] (10) "Person", any individual, partnership,
62 corporation, association, organization, firm, or federal,
63 state, county, city, village, or municipal association or
64 corporation;

65 (11) "Short-term rental property", residential or
66 multifamily property used or offered for rent for transient
67 guest use through a hosting platform;

68 [(8)] (12) "Transient guest", any person who rents and
69 occupies a guest room in a lodging establishment for a
70 period of less than thirty-one days.

315.081. 1. Every employee of a lodging establishment
2 and every operator of a short-term rental property in this
3 state shall be required to receive human trafficking
4 awareness training within one hundred eighty days of
5 employment or the first listing of a short-term rental
6 property on a hosting platform, and after the first year of
7 employment or listing, annual human trafficking awareness
8 training not later than December thirty-first.

9 2. Every operator of a lodging establishment or short-
10 term rental property in this state shall implement

11 procedures and adopt policies for the reporting of suspected
12 human trafficking to the National Human Trafficking Hotline
13 or to a local law enforcement agency.

14 3. Any person who operates a lodging establishment or
15 short-term rental property shall maintain records of
16 employee or operator training. Such records shall be kept
17 on file by the operator of the lodging establishment or
18 short-term rental property for the period during which the
19 employee is employed by the establishment or the operator
20 manages the short-term rental property listing, and for one
21 year after such employment or operation ends. A lodging
22 establishment or short-term rental property operator shall
23 provide records to the department within a reasonable amount
24 of time, but no later than ten business days, after such
25 request is made in writing.

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