



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5560/1
MJW&MIM:cjs/wlj/skw

2023 SENATE BILL 940

January 19, 2024 - Introduced by Senators KNODL, BALLWEG, TAYLOR, TESTIN and WIRCH, cosponsored by Representatives GUNDRUM, STUBBS, C. ANDERSON, BALDEH, BEHNKE, BRANDTJEN, CALLAHAN, CONLEY, CONSIDINE, EDMING, EMERSON, HURD, KITCHENS, KRUG, MAXEY, MURPHY, MURSAU, O'CONNOR, SCHRAA, SUBECK and WICHGERS. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to renumber and amend* 50.035 (1); and *to create* 50.035 (1) (c) and
2 103.155 of the statutes; **relating to:** mandatory training regarding human
3 trafficking for employees of community-based residential facilities and owners
4 of certain entities and certain other employees and granting rule-making
5 authority.

Analysis by the Legislative Reference Bureau

This bill requires any employee of a community-based residential facility who has regular, direct contact with facility residents to receive training on identifying and preventing human trafficking crimes within 60 days after starting employment and at least every two years thereafter.

The bill also requires employers to provide, within 60 days of an employee's hire and at least every two years thereafter, training on identifying and preventing human trafficking crimes to employees who are likely to interact with the public and vulnerable individuals. Under the bill, the training must be provided, at a minimum, to private security officers, hotel and motel owners and managers, public transit managers, and adult entertainment establishment owners and managers. Also under the bill, except with respect to individuals who are required by law to report suspected human trafficking, a failure to report a case of human trafficking does not automatically subject an owner or employee to liability to the human trafficking victim or to any other party.

SENATE BILL 940

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 50.035 (1) of the statutes is renumbered 50.035 (1) (a) and amended
2 to read:

3 50.035 (1) (a) Each employee of a community-based residential facility shall,
4 within 90 days after the beginning date of employment, receive basic first aid
5 training and other safety training. The department shall indicate acceptable sources
6 from which facility employees may receive this training. The department shall also
7 develop instructional materials for use by facilities concerning acceptable methods
8 of operation and procedures for protecting and serving the needs of facility residents.
9 The department may require that all facility employees complete a program
10 involving these materials and may sell the materials to facilities at cost. ~~In addition,~~
11 ~~each facility employee~~

12 (b) Each employee of a community-based residential facility shall, within 90
13 days after the beginning date of employment, receive training in fire prevention and
14 control and evacuation techniques. Each facility shall coordinate its training in fire
15 prevention and control and evacuation techniques with the local fire department.

16 **SECTION 2.** 50.035 (1) (c) of the statutes is created to read:

17 50.035 (1) (c) Each employee of a community-based residential facility who has
18 regular, direct contact with facility residents shall, within 60 days after the
19 beginning date of employment and at least every 2 years thereafter, receive training
20 on identifying and preventing human trafficking crimes, as defined in s. 165.505 (1)

SENATE BILL 940

1 (am). The training required under this paragraph shall include at least all of the
2 following:

3 1. The definitions of human trafficking and the commercial exploitation of
4 children.

5 2. Guidance on how to identify individuals who are most at risk for human
6 trafficking.

7 3. The difference between labor trafficking and sex trafficking.

8 **SECTION 3.** 103.155 of the statutes is created to read:

9 **103.155 Mandatory training regarding human trafficking. (1)**

10 **DEFINITION.** In this section “human trafficking crimes” has the meaning given in s.
11 165.505 (1) (am).

12 **(2) TRAINING.** (a) Each employer shall provide training regarding identifying
13 and preventing human trafficking crimes to employees who are likely to interact
14 with the public and vulnerable individuals, as determined by the department. At a
15 minimum, employers shall provide such training to all of their employees who are
16 private security officers, hotel and motel managers, public transit managers, and
17 adult entertainment establishment managers. Owners of hotels, motels, and adult
18 entertainment establishments are required to undergo the same training at the
19 same intervals as managers employed at those entities.

20 (b) The training required under this section shall include at least all of the
21 following:

22 1. The definitions of human trafficking and the commercial exploitation of
23 children.

24 2. Guidance on how to identify individuals who are most at risk for human
25 trafficking.

SENATE BILL 940**SECTION 3**

1 3. As relevant, the difference between labor trafficking and sex trafficking
2 specific to the hotel and motel sector.

3 4. As relevant, guidance on the role of hospitality employees in reporting and
4 responding to human trafficking.

5 5. The contact information of appropriate agencies, including the toll-free
6 telephone number of the National Human Trafficking Hotline and the telephone
7 numbers of the appropriate local law enforcement agencies.

8 (c) The training required under this section shall be at least 20 minutes in
9 length, in person or interactive, and shall be undergone or provided within 60 days
10 of an individual becoming an owner of a hotel, motel, or adult entertainment
11 establishment, or an employee being hired, and at least every 2 years thereafter.

12 (d) Except for individuals who are required by law to report suspected human
13 trafficking to law enforcement agencies, the failure to report a human trafficking
14 case by an owner or employee who is trained as required under this section does not,
15 by itself, result in the civil liability of any owner or employee to the human trafficking
16 victim in the case in question or to any other party.

17 **(3) RULES.** The department shall promulgate rules to implement this section.

18 (END)