



INDUSTRY BULLETIN

for Florida's Lodging Industry

SUBJECT: Human Trafficking Awareness - Legislative Update

Bulletin 2023-03

June 14, 2023

Due to a recent legislative update, the Division of Hotels & Restaurants will no longer afford a public lodging establishment with 90 days to correct a human trafficking awareness violation, as was previously allowed. This change will take effect July 1, 2023. The revised statute now reads as follows:

§509.096(3), F.S.

"For a violation committed on or after July 1, 2023, the division shall impose an administrative fine of \$2,000 per day on a public lodging establishment that is not in compliance with this section and remit the fines to the direct-support organization established under s. 16.618, unless the division receives adequate written documentation from the public lodging establishment which provides assurance that each deficiency will be corrected within 45 days after the division provided the public lodging establishment with notice of its violation. For a second or subsequent violation of this section committed on or after July 1, 2023, the division may not provide a correction period to a public lodging establishment and must impose the applicable administrative fines."

A summary of the legislative changes made are as follows:

Starting July 1, 2023

- A public lodging establishment found to be in violation of a human trafficking awareness requirement for the first time will only be afforded 45 days to correct the violation. Previously, 90 days was afforded and administrative fines would not be assessed if the violation was corrected within the 90 days.
- A public lodging establishment found to be in violation of a human trafficking awareness requirement for the second or subsequent time will be assessed the applicable administrative fines as the establishment will no longer be afforded an opportunity to correct the violation. Previously, 90 days was afforded and administrative fines would not be assessed if the violation was corrected within the 90 days.

Section 509.096, F.S. continues to require all public lodging establishments to provide annual training on human trafficking awareness to employees of the establishment who perform housekeeping duties in the rental units or who work at the front desk or reception area where guests check in or check out. The training must be performed by new hires within 60 days after they begin employment in a housekeeping or reception role. Each applicable employee must provide the hiring establishment with a signed and dated acknowledgment of having received the required training and the acknowledgement must be made available to the Department of Business and Professional Regulation upon request. Establishments may keep acknowledgements electronically. Section 509.096, F.S. also continues to require that all public lodging establishments must:

- 1) Implement a procedure for the reporting of suspected human trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.
- 2) Post in a conspicuous location in the establishment that is accessible to employees a human trafficking public awareness sign at least 11 inches by 15 inches in size, printed in an easily legible font and in at least 32-point type, which states in English and Spanish and any other language predominantly spoken in the area which the department deems appropriate substantially the following:

"If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, retail work, restaurant work, or any other activity, call the National Human Trafficking Rescue Center at 888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law."

Detailed information on this subject is available at the Division's human trafficking webpage at:

MyFloridaLicense.com/DBPR/hotels-restaurants/human-trafficking/

Operators may call the Customer Contact Center at 850-487-1395 or contact local District Offices for questions or additional information. Locate your District Office at:

MyFloridaLicense.com/DBPR/hotels-restaurants/division-offices/

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Ron DeSantis, Governor

Division of Hotels and Restaurants

Melanie S. Griffin, Secretary

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