



Rep. Gregg Johnson

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10400HB2744ham001

LRB104 10244 SPS 24763 a

1 AMENDMENT TO HOUSE BILL 2744

2 AMENDMENT NO. _____. Amend House Bill 2744 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Lodging Services Human Trafficking
5 Recognition Training Act is amended by changing Sections 1, 5,
6 10, and, 15 and by adding Section 20 as follows:

7 (820 ILCS 95/1)

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

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

11 (820 ILCS 95/5)

12 Sec. 5. Definitions. In this Act:

13 "Department" means the Department of Human Services.

14 "Employee" means a person employed by a lodging
15 establishment, restaurant, or truck stop who has recurring

1 interactions with the public, including, but not limited to,
2 an employee who works in a reception area, performs
3 housekeeping duties, helps customers in moving their
4 possessions, or transports by vehicle customers of the lodging
5 establishment, restaurant, or truck stop.

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

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

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

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

1 of liquor.

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

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

9 (820 ILCS 95/10)

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

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

23 (820 ILCS 95/15)

24 Sec. 15. Human trafficking recognition training

1 curriculum.

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (820 ILCS 95/20 new)

19 Sec. 20. Penalties.

20 (a) Beginning October 1, 2026, the Department, a unit of
21 local government regulating an employer, or a law enforcement
22 agency with jurisdiction over an employer may, in the course
23 of its regulatory or enforcement duties, monitor and enforce
24 compliance with this Act. Upon the discovery of a violation of
25 this Act, the Department, unit of local government, or law

1 enforcement agency shall provide the employer with a
2 reasonable notice of noncompliance that informs the employer
3 that if the employer does not cure the violation within 30 days
4 after notice the employer is subject to the penalty described
5 in subsection (b). The notice shall include information
6 concerning where an employer can obtain the training
7 curriculum developed by the Department under subsection (b) of
8 Section 15.

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