

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1 is new material entitled “Human Trafficking Notice at a Lodging Facility” requiring lodging facilities to display a poster that provides information about human trafficking including (1) the definition of human trafficking; (2) conduct prohibited by Chapter 30, Article 52; (3) the telephone number for a national human trafficking hotline; and (4) telephone number of a statewide human trafficking organization, if available. The poster is to be displayed in a conspicuous location in English, Spanish, and any other language “that is the primary language of a significant portion of the lodging facility’s workforce or clientele.”

The workforce solutions department is responsible to make available a model poster that satisfies the requirements of the section.

“Lodging facility” is defined as a “hotel, motel or motor hotel, a bed and breakfast facility, an inn, a resort or other facility offering rooms for payment of rent or other consideration and contains ten or more guest rooms.”

Section 2 is new material entitled “Lodging Facility Human Trafficking Awareness Training.” Subsection A mandates that the operator of a lodging facility shall require employees to complete human trafficking awareness training no later than 90 days after the date of hire and at least once every twelve months thereafter. Subsection B lists the topics to be covered by such training, including information on how to spot and report suspected human trafficking, and states that the training requirement may be satisfied by a program provided or approved by the Department of Public Safety or the Attorney General or a substantially similar program. Subsection C provides that an operator shall maintain records of employee training completion for a period of three years and shall make the records available upon request. Subsection D provides that a lodging facility that employes no more than 25 employees shall have a period of twelve months from the effective date of the section to comply. Subsection E defines employee, lodging facility, and operator for the purposes of the section.

Section 3 is new material entitled “Enforcement – Civil Penalties” and provides that the provisions of Sections 1 and 2 may be enforced by the attorney general or a district attorney for the district in which the lodging facility is located. An operator who fails to comply is subject to a civil penalty not to exceed \$500 per violation.

Section 4 provides the effective date of the act as July 1, 2026.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

None for this agency.

SIGNIFICANT ISSUES

Human trafficking is a serious criminal offense that often occurs in transient lodging environments. Posting human trafficking awareness information in such areas serves a legitimate

public safety purpose by informing potential victims of resources, and generally raising awareness and encouraging the reporting of suspicious activity.

Section 30-52-2.1 currently provides that:

An employer subject to the Minimum Wage Act [[50-4-19](#) to [50-4-30](#) NMSA 1978], a person licensed pursuant to Sections [60-6A-2](#) through [60-6A-5](#) NMSA 1978, a health facility licensed pursuant to the Public Health Act [Chapter [24](#), Article [1](#) NMSA 1978] and a state or local government agency that manages a transportation facility, including a highway rest area, shall post a sign containing the following notice in English and in Spanish and in any other written language where ten percent or more of the workers or users of a covered facility speak that language:

"NOTICE ON HUMAN TRAFFICKING: OBTAINING FORCED LABOR OR SERVICES IS A CRIME UNDER NEW MEXICO AND FEDERAL LAW. IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF THIS CRIME, CONTACT THE FOLLOWING: IN NEW MEXICO, CALL OR TEXT 505-GET-FREE (505-438-3733); OR CALL THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE TOLL-FREE AT 1-888-373-7888 FOR HELP. YOU MAY ALSO SEND THE TEXT "HELP" OR "INFO" TO BEFREE ("233733"). YOU MAY REMAIN ANONYMOUS, AND YOUR CALL OR TEXT IS CONFIDENTIAL."

This bill would expand this requirement to lodging facilities and mandate training for all employees. The availability of such training is unclear but may be satisfied by the Department of Public Safety or the Attorney General's Office. There would be potentially many employees requiring such training.

PERFORMANCE IMPLICATIONS

None noted.

ADMINISTRATIVE IMPLICATIONS

None noted.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 32 amends the human trafficking statute including amending some elements, changing the statute of limitations, and adding human trafficking to the Victims of Crime Act.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

n/a

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

n/a

