

§ 42A-39. (Effective July 1, 2025) Human trafficking awareness reporting and training requirements.

(a) Definitions. - The following definitions apply in this section:

(1) Accommodation facilitator. - As defined in G.S. 105-164.3.

(2) Employee. - As defined in G.S. 130A-492.

(3) Human trafficking awareness training. - The training developed or identified by the Department of Labor pursuant to G.S. 130A-511.

(4) Property manager. - A landlord, as defined in G.S. 42A-4, or real estate broker, as defined in G.S. 93A-2, that has primary responsibility for the listing, supervision, or maintenance of a vacation rental. The term property manager does not include a landlord that delegates all listing, supervisory, and maintenance responsibilities to a real estate broker.

(5) Third-party contractor. - A person not employed by a property manager of a vacation rental who contracts with the property manager to provide services for the vacation rental.

(6) Vacation rental. - As defined in G.S. 42A-4.

(b) Human Trafficking Reporting Requirement. - Before initially listing a vacation rental, either directly or through an accommodation facilitator, the property manager shall implement a procedure for the reporting of suspected human trafficking occurring at vacation rentals to the National Human Trafficking Hotline or to a local law enforcement agency.

(c) Human Trafficking Awareness Training. - For any vacation rental offered for lease, all of the following individuals, if applicable, shall complete human trafficking awareness training:

(1) The property manager, or if the property manager is a partnership, corporation, sole proprietorship, or limited liability company, any employee or third-party contractor who oversees the listing, supervision, or maintenance of the vacation rental on behalf of the property manager.

(2) The property manager's employees who perform housekeeping services at the vacation rental or provide check-in and check-out services for the vacation rental.

(3) Any third-party contractor or employee of a third-party contractor who performs housekeeping services at the vacation rental or provides check-in and check-out services for the vacation rental.

(d) Training Frequency. - Individuals required to complete training pursuant to subsection

(c) of this section shall complete the training as follows:

(1) For vacation rentals initially offered for lease on or after July 1, 2025, the property manager shall complete training prior to the vacation rental being offered for lease, and any employee of the property manager, or third-party contractor or employee shall complete training within 60 days of first providing services for the vacation rental, and every two years thereafter.

(2) For vacation rentals initially offered for lease prior to July 1, 2025, the property manager and all individuals employed or contracted by the property manager prior to July 1, 2025, shall complete the training required by this section no later than June 30, 2027, and every two years thereafter.

(e) Accommodation Facilitator Requirements. - If the vacation rental is listed through an accommodation facilitator, the accommodation facilitator shall comply with all of the following requirements:

(1) Notify the property manager of the training requirements of this section.

(2) For any vacation rental initially listed with the accommodation facilitator on or after July 1, 2025, prior to making the listing available, require the property manager to certify that any training required by this section has been completed.

(3) For any vacation rental initially listed with the accommodation facilitator prior to July 1, 2025, require the property manager to certify no later than June 30, 2027, that any training required by this section has been completed.

(4) Report to the Department of Labor within 30 days of request on the methods used to notify property managers of the requirements of this section, and to require certification of their compliance with the requirements of this section.

(f) Penalty. - The Department of Labor may impose an administrative penalty against any property manager or any third-party contractor who willfully and knowingly violates the requirements of this section in the amount of five hundred dollars

(\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and two thousand dollars (\$2,000) for the third and each subsequent violation. The clear proceeds of penalties assessed under this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(g) Unfair Trade Practice. - It shall constitute an unfair trade practice in violation of G.S. 75-1.1 for a property manager to intentionally make a material misstatement in an acknowledgment of human trafficking awareness training completion.

(h) No Private Right. - Nothing in this section shall (i) be construed as creating a private cause of action against an accommodation facilitator, or its employees, for any act or omission arising out of the requirements of this section or (ii) in any way limit or impair the rights or remedies which are otherwise available to a victim of human trafficking under any other law. (2024-26, s. 2.)

Article 24.

(Effective July 1, 2025) Human Trafficking Public Awareness in Lodging Establishments.

§ 130A-511. (Effective July 1, 2025) Human trafficking awareness training.

(a) Definitions. – The following definitions apply in this section:

(1) Employee. – As defined in G.S. 130A-492.

(2) Employer. – As defined in G.S. 130A-492.

(3) Lodging establishment. – As defined in G.S. 130A-492.

(4) Third-party contractor. – A person not employed by a lodging establishment who contracts with the lodging establishment to provide services for the lodging establishment.

(b) Training Development and Availability. – The Department of Labor shall do all of the following:

(1) In consultation with the North Carolina Human Trafficking Commission, the North Carolina Restaurant and Lodging Association, and the Department of Health and Human Services, develop a training course, or identify existing training courses, to inform and educate individuals about human trafficking.

(2) Ensure the training developed or identified pursuant to this subsection is accessible electronically, in person, or in a classroom setting, without charge, to individuals required to complete the training. The Department of Labor shall not otherwise make the training readily available to the public.

(c) Lodging Establishment Requirements. – A lodging establishment shall do all of the following:

(1) Ensure that employees of the establishment who perform housekeeping services, provide food or beverage services, or perform check-in and check-out duties receive human trafficking awareness training as required by this section. Each lodging establishment shall maintain a training log with the name of the employee, date of training, and name of the approved training course. The log shall be made available to the Department of Labor if requested, and records for each employee shall be retained for at least three years after the employee has left employment.

(2) Implement a procedure for the reporting of suspected human trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.

(3) Prominently display on the premises in a place that is clearly conspicuous and visible to employees and the public a public awareness sign that contains the National Human Trafficking Resource Hotline information. The Department of Labor shall consult with the North Carolina Restaurant and Lodging Association in developing public awareness signage language.

(d) Third-Party Contractor Requirements. – A third-party contractor shall ensure that any employee of the third-party contractor who performs housekeeping services at the lodging establishment, provides food or beverage services on site at the lodging establishment, or performs check-in and check-out duties at the lodging establishment receive human trafficking awareness training as required by this section.

(e) Training Frequency. – Employees of lodging establishments and third-party contractors that begin employment on or after July 1, 2025, shall complete the training required by this section within 60 days of first providing services to the lodging establishment, and every two years thereafter. Persons employed by a lodging establishment or third-party contractor prior to July 1, 2025, shall complete the training required by this section no later than June 30, 2027, and every two years thereafter. G.S. 130A-511 Page 2

(f) Penalty. – The Department of Labor may impose an administrative penalty against any lodging establishment or any third-party contractor who willfully and knowingly violates the requirements of this section in the amount of five hundred dollars (\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and two thousand dollars (\$2,000) for the third and each subsequent violation. The clear proceeds of penalties assessed under this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(g) No Private Right. – Nothing in this section shall (i) be construed as creating a private cause of action against a lodging establishment, or its employees, for any act or omission arising out of the requirements of this section or (ii) in any way limit or impair the rights or remedies which are otherwise available to a victim of human trafficking under any other law. (2024-26, s. 1.)