

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Bill No. CB-23-2024

Chapter No. _____

Proposed and Presented by The Chair (by request - County Executive)

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Prohibition of Contractors in Engaging in Sex Trafficking and Labor Trafficking
3 For the purpose of prohibiting contractors and subcontractors from engaging in sex trafficking
4 and labor trafficking. If contractors or subcontractors are found involved after an investigation
5 by the Office of Human Rights, penalties can include disbarment, suspension, and any other
6 relief available to the Office of Procurement, including but not limited to, contract termination
7 and breach of contract damages.

8 BY adding:

9 SUBTITLE 2. ADMINISTRATION.

10 Sections 2-231.09, 2-231.10, 2-231.11

11 The Prince George's County Code

12 (2023 Edition).

13 BY repealing and reenacting with amendments:

14 SUBTITLE 10A. PURCHASING.

15 Section 10A-148

16 The Prince George's County Code

17 (2023 Edition).

18
19 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
20 Maryland, that Sections 2-231.09, 2-231.10 and 2-231.11 of the Prince George's County Code be
21 and the same are hereby added:

SUBTITLE 2. ADMINISTRATION.

DIVISION 12. OFFICE OF HUMAN RIGHTS.

Subdivision 11. PROHIBITION OF SEX TRAFFICKING AND LABOR TRAFFICKING BY CONTRACTORS.

Sec. 2-231.09. Definition.

(a) **Contractor** means any business or person having a written contract with the County as defined by Sec. 10A-101(a)(12) of the Prince George's County Code.

Sec. 2-231.10. Prohibition.

During the performance of any contract, no Contractor, through its employees or agents, shall engage in human sex trafficking or human labor trafficking as defined by Section 14-191, Subtitle 14 of The Prince George's County Code.

Sec. 2-231.11. Filing a Complaint.

(a) **Filing Complaints.** If any person believes that a Contractor or a Contractor's employees or agents does not comply with the prohibitions against human sex trafficking and human labor trafficking set forth in Sec. 14-191, Subtitle 14, of The Prince George's County Code, they may file a complaint with the Office of Human Rights.

(b) **Complaint Requirement.** A complaint under this Section must:

(1) be filed;

(2) include the particulars of the alleged violation, the name and address of the Contractor alleged to have committed the violation as set forth in Sec. 14-191, Subtitle 14, of the Prince George's County Code, and

(3) any other information required by the Office of Human Rights.

(c) **Dismissal.** If after an investigation by the Office of Human Rights, the Contractor is found to have not been in violation of the prohibitions against human sex trafficking and human labor trafficking in, the Office of Human Rights must dismiss the complaint and mail copies of its findings to the Respondent-Contractor, the Complainant, and the Office of Procurement.

(d) **Non-Compliance Penalty.** If after an investigation by the Office of Human Rights, the Contractor is found to be in violation of the prohibition against human sex trafficking and human labor trafficking as set forth in Sec. 14-191, Subtitle 14, the Office of Human Rights shall refer this decision to the Office of Procurement, whereby the Office of Procurement shall initiate suspension and debarment proceedings pursuant to Sec. 10A-148 and consider any other relief available to the Office of Procurement, including but not limited to, contract termination and breach of contract damages.

(e) **Criminal Prosecution.** An investigation or finding made by the Office of Human Rights under this Section is not intended to preclude a criminal investigation or criminal prosecution by the State's Attorney's Office or any law enforcement agency.

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SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 10A-148 of the Prince George's County Code be and the same is hereby repealed and reenacted with amendments:

SUBTITLE 10A. PURCHASING.

DIVISION 6. SPECIAL PROVISIONS.

SUBDIVISION 8. DEBARMENT; SUSPENSION OF BIDDERS AND OFFERORS.

Sec. 10A-148. Debarment; suspension of bidders and offerors.

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(16) Following an investigation by the Office of Human Rights pursuant to 14-191, Subtitle 14, of the Prince George's County Code, has been found to have violated the prohibition against human sex trafficking and human labor trafficking.

(17) Been convicted of, plead nolo contendere, or been sentenced pursuant to the Child Sex Trafficking Screening and Services Act, the Anti-Exploitation Act of 2019, Human Trafficking & Prostitution Offenses 2019, or other comparable State, Federal, U.S. Territory, or District of Columbia statute for violation of criminal laws prohibiting human labor trafficking or human sex trafficking.

(18) Been found in violation of the wage and hours requirements Maryland Annotated Code, Labor and Employment Code §§ 3-401, et seq.

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SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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