

ASSEMBLY THIRD READING

AB 1845 (Krell)

As Amended April 9, 2026

Majority vote

SUMMARY

Establishes specific policies and procedures postsecondary education institutions must adopt to address incidents of human trafficking on campus.

Major Provisions

- 1) Requires a postsecondary education institution by July 1, 2027 to offer as part of the institution's sexual harassment training a component containing the following elements:
 - a) The definition of human trafficking, including sex trafficking and labor trafficking;
 - b) Myths and misconceptions about human trafficking;
 - c) Physical and mental signs to be aware of that may indicate that human trafficking is occurring;
 - d) Guidance on how to identify individuals who are most at risk for human trafficking; and,
 - e) Protocols for how to report human trafficking to campus and non-campus authorities.
- 2) Requires a postsecondary education institution by July 1, 2027 to annually mandate each employee to complete an annual training with the human trafficking component pursuant to (1) of this analysis.
- 3) Provides a liability shield to the postsecondary education institutions by stating an employee's failure to report human trafficking incidents to the authorities or to the postsecondary education institution does not by itself result in a liability for the postsecondary education institution.
- 4) Requires a postsecondary education institution to post and display the model notice developed by Civil Rights Code Section 52.6 on the institution's internet website and in a prominent location on campus.
- 5) Requires every postsecondary education who receives student financial aid assistance from the state to do all of the following:
 - a) Require the appropriate officials at each campus within their respective jurisdiction to compile records of all occurrences of crimes on campus that involve violence, human trafficking, hate violence, theft, destruction of property, illegal drugs, or alcohol intoxication that were reported to campus police, campus security, or campus safety authorities. The occurrences as reported will also include arrests conducted by campus police, campus security, or campus safety authorities; and,
 - b) Require any report made by either a survivor of human trafficking or by an employee to campus security for the purpose of notifying either the institution or law enforcement, to

- be immediately or as soon as practicably possible disclosed to local law enforcement in the same manner as a disclosure for a violent crime, sexual assault, or hate crime.
- 6) Removes language excluding the California Community Colleges (CCC) from disclosing and reporting specific crimes that occur on campus to the authorities and the public.
 - 7) Amends the Kristen Smart Campus Safety Act of 1998 to include the community colleges and human trafficking requirements. Specifically, requires the governing boards of community college districts, the board of trustees of the California State University (CSU), the board of regents of the University of California (UC), and the governing board of postsecondary education institutions to adopt rules requiring each campus to enter into written agreements with local law enforcement for the operational clarity regarding the responsibilities of investigating of human trafficking, Part 1 violent crimes, sexual assaults, and hate crimes occurrences on campus. Clarifies the written agreements will designate which law enforcement agency will have operational responsibility for investigating each human trafficking incident, each Part 1 violent crime incident, each sexual assault incident, and each hate crime incident. The written agreement will also delineate the specific geographical boundaries of each agency's operational responsibility. If the existing agreements between the campus and the local authorities contain the requirements as stipulated above, the existing agreement remains intact.
 - 8) Repeals Education Code Section 67381.1 as it is no longer operationally necessary.
 - 9) Conditions the receipt of state funds for student financial assistance to the CCC, CSU, UC, or an independent postsecondary education institution, upon the adoption of a policy regarding incidents of human trafficking that involve a student, faculty, or staff of the institution.
 - 10) Conditions the ability for a public or independent institution of higher education to participate in the Cal Grant program upon a requirement that each institution will by July 1, 2027 implement written policies and procedures to ensure that any report of human trafficking received by campus authorities that is made for the purpose of notifying the institution or law enforcement is immediately or as soon as practicably possible forwarded to the appropriate law enforcement agency. Maintains requirements for a victim's identity to be withheld unless the victim consents to disclosure. Clarifies if a campus law enforcement authority is maintained by the institution, they will be considered the local law enforcement agency; however, if the institution does not maintain a local law enforcement agency, the report will be forwarded to a local law enforcement agency.
 - 11) Defines for purpose of the entire measure "human trafficking" as a violation of section 236.1 of the Penal Code.

COMMENTS

Existing protocols to address human trafficking on California collegiate campuses. Title IX protects students, faculty, and staff from experiencing discrimination on the basis of sex at postsecondary education institutions and provides the protocols an institution is to follow should a student, faculty, or staff experience discrimination. The intention of Title IX is to prevent sex discrimination, address and resolve incidents of sex discrimination, and restores educational access for survivors of sex discrimination. One may assume human trafficking would be encompassed in the definition of sexual violence and therefore would be addressed by Title IX;

however, one would assume incorrectly. One could infer human trafficking falls within the authority of Title IX as it would be considered a form of sexual harassment that is both severe and pervasive enough to be addressed as a discriminatory behavior. However, since human trafficking is not explicitly defined as one of the sexual assault crimes included within the jurisdiction of Title IX, it might not be adjudicated within the existing Title IX complaint processes.

In 2018, the *Innovative Higher Education Journal*, published a paper entitled "Sex trafficking and the Role of Institutions of Higher Education" which clarified a postsecondary education institution's responsibility under Title IX for addressing human trafficking: "there is no explicit mention of sex trafficking in the current Title IX policy. However, the policy prohibits several types of sexual harassment, including exploitation. Individual institutions of higher education may adopt additional layers to Title IX policies that do address human trafficking, which some schools have done." One of the recommendations from the paper was for institutions to: (1) adopt a clear definition of sex trafficking; (2) to adopt a policy to address incidents of sex trafficking; and, (3) to provide training to employees on how to identify sex trafficking and how to report incidents. With the passing of SB 493 (Jackson), Chapter 303, Statutes of 2020, California codified the recommendations of the aforementioned paper.

SB 493 (Jackson) amended Education Code Section 66262.5, expanding the definition of sexual harassment to include sexual battery, sexual violence, and sexual exploitation. Pursuant to the law, California-based postsecondary education institutions are required to prevent sexual exploitation, which includes "the trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion." If postsecondary education institutions are required to have policies which address sexual exploitation, the institutions are already required to address human trafficking as it is considered a form of discrimination. Human trafficking may not be explicitly addressed by Title IX but is specifically addressed by the provision of the Sex Equity Act in the California Education Code.

This measure seeks to add provisions to the Education Code to address human trafficking; however, as demonstrated above, human trafficking is already a form of sex-based discrimination and therefore, is addressed in higher education institutions required sexual violence and sexual harassment prevention policies.

SB 493 (Jackson) created a procedure for resolving complaints of sexual exploitation on postsecondary education institutions. SB 493 (Jackson) required all employees to be trained in the procedures and to report incidents of sexual exploitation to the coordinator who is responsible for addressing the complaints. The employee training required of SB 493 (Jackson) is limited to the procedures for how to address sexual exploitation complaints and does not include components on how to identify/determine what constitutes human trafficking.

This measure updates mandated trainings for employees to provide information on human trafficking that is aligned with best practice recommendations for addressing human trafficking on collegiate campuses.

The Clery Act requires postsecondary education institutions to prepare, publish, and distribute annual security reports disclosing campus crime statistics of specified crimes which occurred either on campus or within a limited geographical zone of the campus. As previously mentioned, the Clery Act does not require reporting on human trafficking. Additionally, the Clery Act requires colleges and universities to disclose to the public annual campus safety plans on the

campus' intention to address specified crimes on campus. Committee staff reviewed several campus safety plans in preparation for this analysis. While some campuses, like Sonoma State University highlight a plan to address human trafficking; others, provide plans to address sexual exploitation without specifically naming human trafficking.

This measure addresses key gaps in federal reporting laws by amending the California Education Code to ensure (1) all incidents of human trafficking are recorded, and (2) are reported to local law enforcement.

According to the Author

As described by the author the intent of AB 1845 (Krell) is to do the following: "ensure college campuses and their staff are equipped to address, resolve and manage situations in which a student may be a victim of or is actively being trafficked. Requiring annual staff training and updating policies that reflect the seriousness of this crime will lead to safer and healthier campuses."

The author further contends that "California colleges are in a unique position to reach students who may be vulnerable to exploitation and sex trafficking due to environmental risk factors such as housing instability, lack of social or familial support, or naivety to exploitive situations. AB 1845 ensures that campus policies are updated to include human trafficking identification and prevention. Expanding existing strategies to prevent human trafficking recruitment is vital to protecting the safety of college students."

Arguments in Support

As stated by one of the co-sponsors of the measure, 3 Strands Global Foundation, "Human trafficking is one of the fastest-growing criminal enterprises in the world, and institutions of higher education are not immune to its reach. College campuses are uniquely positioned as both potential points of vulnerability and powerful hubs for prevention, early identification, and intervention. AB 1845 takes a critical and comprehensive approach to addressing these realities by equipping institutions with the tools necessary to better protect students, faculty, and staff. This bill meaningfully strengthens existing protections by integrating human trafficking awareness into required employee training frameworks, including those established under Title IX. By requiring annual, standardized training on the identification of trafficking indicators, myths and misconceptions, and reporting protocols, AB 1845 ensures that campus personnel are better prepared to recognize and respond to exploitation. Early identification is one of the most effective ways to disrupt trafficking, and this bill advances that goal in a practical and scalable way. Additionally, AB 1845 enhances transparency and accountability by requiring campuses to track and report incidents of human trafficking alongside other crimes. This data is essential to understanding the scope of the issue and informing effective prevention and response strategies.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) One-time Proposition 98 General Fund costs of approximately \$460,000 for the California Community Colleges (CCCs), collectively statewide, to provide required employee training on human trafficking. According to the Chancellor's Office of the CCCs (CCCCO), a

training vendor estimated a cost of \$5 per employee and there are approximately 92,000 faculty and staff at the CCCs statewide.

Additionally, to the extent the training requires an increase in release time for employees to attend training the bill could create additional Proposition 98 General Fund cost exposure of an unknown amount, but potentially significant, for CCCs to pay for that time. It is unclear to the committee how much additional staff training time this bill may create given its allowance for human trafficking training to be incorporated within existing training.

- 2) Minor and absorbable costs to the University of California (UC). According to the UC Office of the President, the UC regularly updates employee trainings, which would facilitate the incorporation of this bill's requirements into existing trainings without significant cost exposure.
- 3) Minor and absorbable costs to the Chancellor's Office of the California State University (CSU) and campuses of the CSU to update existing employee trainings and establish or update memoranda of understanding with local police to the extent necessary in the case of human trafficking on campus.

VOTES

ASM HIGHER EDUCATION: 10-0-0

YES: Fong, DeMaio, Boerner, Jeff Gonzalez, Jackson, Irwin, Patel, Bennett, Sharp-Collins, Tangipa

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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