

CONCURRENCE IN SENATE AMENDMENTS

AB 1845 (Krell)

As Amended June 18, 2026

Majority vote

SUMMARY

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

Senate Amendments

- 1) Updates the requirement for postsecondary institutions to have a policy on incidents of human trafficking, to include a statement that a conviction of human trafficking by a criminal court is a violation of the student and employee code of conduct.

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 Senate Committee on Appropriations:

- 1) The Chancellor's Office estimates one-time Proposition 98 General Fund costs of between \$15,000 and \$29,000 per district, or \$1 million to \$2.1 million statewide, to develop or update a policy on human trafficking. The costs for the training content are minimal since free materials from the Department of Justice are allowed to be used.
- 2) The California State University estimates minor and absorbable costs for campuses to update existing staff training on sexual harassment/violence to include the required information on human trafficking. There may also be increased workload to establish or update memoranda of understanding with local police as necessary, resulting in additional, unknown costs. Further, the California State University (CSU) indicates there would be minor, one-time administrative costs per campus to post the required model notices.
- 3) The University of California (UC) estimates minor and absorbable costs to update training and relevant policies.
- 4) The Department of Justice anticipates no significant fiscal impact as a result of the bill.

VOTES:

ASM HIGHER EDUCATION: 10-0-0

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

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

ASSEMBLY FLOOR: 74-0-6

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Arambula, Chen, Garcia, Lackey, Ramos, Celeste Rodriguez

UPDATED

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