

**INNKEEPER’S RIGHTS ACT**

**MODIFICATIONS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mark W. Walker**

Senate Sponsor: Michael G. Waddoups

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Innkeeper's Rights Act regarding an innkeeper's right to refuse accommodations on the basis of an individual bringing a dangerous item onto the premises.

**Highlighted Provisions:**

This bill:

- ▶ clarifies that denial of accommodations based on the possession of dangerous items would include the unlawful possession or use of firearms or explosives; and
- ▶ makes certain technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**29-2-103**, as enacted by Chapter 231, Laws of Utah 1995

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **29-2-103** is amended to read:



28           **29-2-103. Innkeeper's rights -- Liability -- Prohibition on discrimination.**  
29           (1) An innkeeper may:  
30           (a) refuse or deny accommodations, facilities, or privileges of a lodging establishment  
31 to ~~[any]~~ a person who is:  
32           (i) unwilling or unable to pay for the accommodations and services of the lodging  
33 establishment;  
34           (ii) visibly intoxicated;  
35           (iii) creating a public nuisance;  
36           (iv) in the reasonable belief of the innkeeper, seeking accommodations for ~~[any]~~ an  
37 unlawful purpose, including:  
38           (A) the unlawful possession or use of a controlled ~~[substances]~~ substance in violation  
39 of federal or state law; or  
40           (B) use of the premises for the consumption of an alcoholic ~~[beverages]~~ beverage by  
41 ~~[any]~~ a person under 21 years of age in violation of federal or state law; or  
42           (v) in the reasonable belief of the innkeeper, bringing in property that may be  
43 dangerous to other persons, including the unlawful possession or use of firearms or explosives;  
44           (b) require a prospective guest prior to check-in to demonstrate the guest's ability to  
45 pay either in cash, by credit card, or with a validated check;  
46           (c) require a parent or legal guardian of a minor to:  
47           (i) promise in writing to pay all guest room costs, taxes, and charges incurred by the  
48 minor at a lodging establishment and ~~[any damages]~~ damage to the lodging establishment and  
49 its furnishings caused by the minor while a guest at the lodging establishment;  
50           (ii) provide an innkeeper with a valid credit card number to cover potential charges and  
51 ~~[any]~~ potential ~~[damages]~~ damage to the lodging establishment and its furnishings caused by  
52 the minor; or  
53           (iii) if a valid credit card is not an option, provide an innkeeper with:  
54           (A) an advance cash payment to cover the guest room costs and taxes for the  
55 anticipated stay of the minor; and  
56           (B) a deposit, not to exceed \$500, towards the payment of ~~[any charges]~~ a charge by  
57 the minor or ~~[any damages]~~ damage to the lodging establishment or its furnishings, which  
58 deposit shall be refunded to the extent not used to cover ~~[any]~~ damages as determined by the

59 innkeeper following room inspection at check-out;  
60 (d) require a guest to produce a valid driver's license, or other identification satisfactory  
61 to the innkeeper, containing a photograph and the name and address of the guest;  
62 (e) if the guest is a minor, require a parent or guardian of the guest to register and  
63 produce the same identification required in Subsection (1)(d);  
64 (f) limit the number of persons who may occupy a guest room in the lodging  
65 establishment; or  
66 (g) eject a person from a lodging establishment for any of the following reasons:  
67 (i) nonpayment of the lodging establishment's charges for accommodations or services;  
68 (ii) visible intoxication of the guest;  
69 (iii) disorderly conduct of the guest resulting in a public nuisance; or  
70 (iv) the innkeeper reasonably believes that the person has violated:  
71 (A) this chapter or any federal, state, or local law or regulation relating to the lodging  
72 establishment; or  
73 (B) ~~any~~ a rule of the lodging establishment posted in a conspicuous place and manner  
74 in the lodging establishment.  
75 (2) An innkeeper may not refuse or deny use of or eject a person from a lodging  
76 establishment's facilities or privileges based upon the person's race, creed, color, national  
77 origin, gender, disability, or marital status.

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**Legislative Review Note**  
as of 1-24-07 11:54 AM

**Office of Legislative Research and General Counsel**

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**H.B. 355 - Innkeeper's Rights Act Modifications**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/30/2007, 8:09:06 AM, Lead Analyst: Byrne, D.*

**Office of the Legislative Fiscal Analyst**