

INNKEEPER'S RIGHTS ACT

MODIFICATIONS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark W. Walker

Senate Sponsor: Michael G. Waddoups

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

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.

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

Office of Legislative Research and General Counsel

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

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

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.

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

Office of the Legislative Fiscal Analyst