

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 465 Session of
2007

INTRODUCED BY PIPPY, STOUT, RAFFERTY, FOLMER, FONTANA, WAUGH,
ERICKSON, D. WHITE, EARLL AND LOGAN, MARCH 29, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 29, 2007

AN ACT

1 Amending the act of October 30, 1996 (P.L.732, No.131), entitled
2 "An act establishing grounds upon which innkeepers may deny
3 accommodations, facilities or privileges of a lodging
4 establishment to any person who is unable or unwilling to pay
5 for accommodations and services, to any person who is
6 disorderly, to any person who an innkeeper reasonably
7 believes is seeking accommodations for any unlawful purpose
8 and to any person who an innkeeper reasonably believes is
9 bringing upon the lodging establishment property which may be
10 dangerous to other persons; allowing an innkeeper to limit
11 the number of persons who shall occupy any particular guest
12 room of a lodging establishment; providing for the posting of
13 notice relative to this statute; and providing for
14 penalties," providing for prospective employee background
15 checks.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. The act of October 30, 1996 (P.L.732, No.131),
19 known as the Pennsylvania Innkeepers' Rights Act, is amended by
20 adding a section to read:

21 Section 7.1. Background checks.

22 (a) General rule.--An innkeeper shall require an individual
23 applying for employment with a lodging establishment who would
24 have access to guest room keys if employed to undergo a check of

1 criminal history record information.

2 (b) Criminal history record information.--In accordance with
3 the provisions of 18 Pa.C.S. § 9121(b) (relating to general
4 regulations), an innkeeper who requests a check of criminal
5 history record information shall be entitled to receive
6 notations of arrests, indictments and other information relating
7 to the initiation of criminal proceedings.

8 (c) Use of information.--Whenever an innkeeper is in receipt
9 of information which is part of an individual's criminal history
10 record information file, the innkeeper may use that information
11 for the purposes of deciding whether or not to hire the
12 applicant only in accordance with 18 Pa.C.S. § 9125 (relating to
13 use of records for employment) and shall provide the applicant
14 notice regarding a decision not to hire as provided in 18
15 Pa.C.S. § 9125(c).

16 (d) Definition.--As used in this section, the term "check of
17 criminal history record information" means a criminal history
18 record check under 18 Pa.C.S. Ch. 91 (relating to criminal
19 history record information) or a substantially equivalent system
20 of checking of criminal history record information as determined
21 by the Pennsylvania State Police, a list of which the
22 Pennsylvania State Police shall publish in the Pennsylvania
23 Bulletin annually.

24 Section 2. This act shall take effect in 60 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1897 Session of
2007

INTRODUCED BY M. SMITH, BARRAR, BELFANTI, BENNINGTON, BIANCUCCI,
BOYD, BRENNAN, CASORIO, COSTA, FRANKEL, FREEMAN, HARHAI,
HORNAMAN, KULA, MUSTIO, PETRONE, SIPTROTH, WALKO, YOUNGBLOOD,
HARPER, KOTIK, MAHONEY, PASHINSKI, SHIMKUS, SONNEY, J. WHITE,
K. SMITH AND MURT, OCTOBER 15, 2007

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
OCTOBER 15, 2007

AN ACT

1 Amending the act of October 30, 1996 (P.L.732, No.131), entitled
2 "An act establishing grounds upon which innkeepers may deny
3 accommodations, facilities or privileges of a lodging
4 establishment to any person who is unable or unwilling to pay
5 for accommodations and services, to any person who is
6 disorderly, to any person who an innkeeper reasonably
7 believes is seeking accommodations for any unlawful purpose
8 and to any person who an innkeeper reasonably believes is
9 bringing upon the lodging establishment property which may be
10 dangerous to other persons; allowing an innkeeper to limit
11 the number of persons who shall occupy any particular guest
12 room of a lodging establishment; providing for the posting of
13 notice relative to this statute; and providing for
14 penalties," providing for prospective employee background
15 checks; and requiring deadbolt locks in hotels.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. The act of October 30, 1996 (P.L.732, No.131),
19 known as the Pennsylvania Innkeepers' Rights Act, is amended by
20 adding sections to read:

21 Section 7.1. Background checks.

22 (a) General rule.--An innkeeper shall require an individual

1 applying for employment with a lodging establishment who would
2 have access to guest room keys if employed to undergo a check of
3 criminal history record information.

4 (b) Criminal history record information.--Notwithstanding
5 the provisions of 18 Pa.C.S. § 9121(b)(2) (relating to general
6 regulations), an innkeeper who requests a check of criminal
7 history record information shall be entitled to receive
8 notations of arrests, indictments and other information relating
9 to the initiation of criminal proceedings occurring within seven
10 years from the date of the request.

11 (c) Use of information.--Whenever an innkeeper is in receipt
12 of information which is part of an individual's criminal history
13 record information file, the innkeeper may use that information
14 for the purposes of deciding whether or not to hire the
15 applicant only in accordance with 18 Pa.C.S. § 9125 (relating to
16 use of records for employment) and shall provide the applicant
17 notice regarding a decision not to hire as provided in 18
18 Pa.C.S. § 9125(c).

19 (d) Definition.--As used in this section, the term "check of
20 criminal history record information" means a criminal history
21 record check under 18 Pa.C.S. Ch. 91 (relating to criminal
22 history record information) or a substantially equivalent system
23 of checking of criminal history record information as determined
24 by the Pennsylvania State Police, a list of which the
25 Pennsylvania State Police shall publish in the Pennsylvania
26 Bulletin annually.

27 Section 7.2. Deadbolt locks required in hotels.

28 (a) General rule.--An innkeeper of a hotel shall provide
29 each connecting guest room door of the hotel with a deadbolt
30 lock capable of being unlocked from inside the protected guest

1 room side only and shall maintain the deadbolt locks in good
2 working order at all times.

3 (b) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 "Deadbolt lock." A locking bolt with a minimum projection of
7 one inch that is activated by knob, handle or other similar
8 device.

9 "Hotel." A hotel, motel, bed and breakfast, homestead, inn,
10 guest house or other structure which holds itself out by any
11 means, including advertising, license, registration with an
12 innkeepers' group, convention listing association, travel
13 publication or similar association or with a government agency,
14 as being available to provide overnight lodging or use of
15 facility space for consideration to persons seeking temporary
16 accommodation. The term includes a place which advertises to the
17 public at large or any segment thereof that it will provide
18 beds, sanitary facilities or other space for a temporary period
19 to members of the public at large. The term also includes a
20 place recognized as a hostelry.

21 Section 2. This act shall take effect in 180 days.