

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 863

PRINTER NO. 1224

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

September 30, 2019

PRIME SPONSOR

Senator Scavello

DESCRIPTION

Senate Bill 863 amends chapter 13 (Hotels) of Title 48 (Lodging and Housing) of the Pennsylvania Consolidated Statutes by incorporating recreational campgrounds and campground owners into existing statutory provisions governing hotels and hotelkeepers.

The legislation amends section 1301 (relating to definitions) by defining "campground owner" as a person or entity which owns a recreational campground. Senate Bill 863 defines a "recreational campground" as follows:

A lodging establishment organized to accommodate five or more separate, designated campsites for shelter in either privately-owned or campground-owned lodging. The property may include amenities, such as site-specific electric and sewer hookups, public bath houses, convenience stores, recreational areas and pools. The campground may permit seasonal sites. Seasonal guests shall not be required to have month-to-month agreements. Approved guests may leave their trailer on the site throughout the year but may not maintain a permanent residence.

Senate Bill 863 amends section 1311 of Title 48 (relating to hotelkeepers) by incorporating campground owners and recreational campgrounds into the section which codifies the right of hotelkeepers to refuse or deny accommodations, facilities or privileges of a lodging establishment. Examples where these hotelkeepers' rights are extended to campground owners include the following:

- Denial of accommodations to a person who is unwilling or unable to pay for services;
- Denial of accommodations to a person who is disorderly; and
- Denial to a person who the hotelkeeper or campground owner reasonably believes is seeking accommodations for an unlawful purpose.

The legislation extends civil liability protections for the rightful refusal to provide accommodations by hotelkeepers to include campground owners. Furthermore, Senate Bill 863 allows a court to order a person to pay restitution for damages to campground owners in the same manner allowable for hotelkeepers under existing law.

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Senate Bill 863 extends existing guest register requirements for hotelkeepers to campground owners by requiring campground owners to maintain, for a period of three years, a guest register which shows the name, residence, date of arrival and departure of guests of the lodging establishment, including a recreational campground. The legislation also incorporates provisions requiring hotelkeepers to provide notification to secure hotel rooms and personal property to include campground owners and recreational campgrounds.

Senate Bill 863 extends provisions regarding the placement of liens on property by a hotelkeeper such that a campground owner within this Commonwealth shall have a lien upon the goods, baggage or personal property belonging to a guest or boarder of a hotel or campground-owned lodging for the amount of indebtedness contracted for boarding and lodging for a period of time not exceeding two weeks. The hotelkeeper or campground owner may detain the goods and baggage until the amount of indebtedness is paid. After the detention of goods for three months, the hotelkeeper or campground owner may apply to a magisterial district judge to publicly sell the goods and baggage.

The legislation further incorporates campground owners and recreational campgrounds into the following statutory provisions that currently apply to hotelkeepers and hotels:

- Liability for property loss or damage;
- Special arrangements for safe deposit of valuables;
- Duty of guests with regard to the safekeeping of property;
- Depository liability for property loss or damage of a guest;
- Limits on liability for the loss or damage of guest property;
- Safekeeping of property for persons other than guests (e.g. property owners in advance of becoming a guest);
- Exemption of property from levy or sale;
- Baggage;
- Baggage sale requirements; and
- Sale proceeds

Senate Bill 863 adds new section 1331 to Title 48 relating to abandoned property at recreational campgrounds. A guest shall have 10 days from the end date of the guest's stay or seasonal agreement to claim abandoned property. A campground owner shall disclose the abandoned property policy of the recreational campground in signed waivers for all guests, including guests with seasonal agreements. If a guest claims abandoned property within 10 days of the end date of the guest's stay or seasonal agreement, the campground owner has a duty to hold the property for an additional 10 days. If the guest does not collect their property within 10 days of claiming the property, a campground owner may keep or dispose of the abandoned property.

This act shall take effect in 60 days.

FISCAL IMPACT

Senate Bill 863 will have no impact on Commonwealth or local funds.