

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 331 Session of  
2005

INTRODUCED BY T. STEVENSON, BAKER, BALDWIN, BARRAR, BASTIAN,  
BEBKO-JONES, BELFANTI, BISHOP, BOYD, CALTAGIRONE, CAPPELLI,  
CASORIO, COSTA, CRAHALLA, CREIGHTON, CRUZ, DeWEESE, J. EVANS,  
FRANKEL, GEIST, GERGELY, GILLESPIE, GINGRICH, GRUCELA,  
HARHAI, HENNESSEY, JAMES, M. KELLER, KILLION, KOTIK, LEACH,  
MANN, McNAUGHTON, MILLARD, R. MILLER, MUSTIO, O'NEILL,  
PALLONE, PHILLIPS, PISTELLA, SCHRODER, SOLOBAY, THOMAS,  
TIGUE, WALKO, WILT, YOUNGBLOOD AND BENNINGHOFF,  
FEBRUARY 8, 2005

AS REPORTED FROM COMMITTEE ON TOURISM AND RECREATIONAL  
DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED,  
OCTOBER 17, 2006

## 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 a ~~section~~ SECTIONS to read: <—

1 Section 7.1. Background checks.

2 (a) General rule.--An innkeeper ~~shall~~ MAY require an <—  
3 individual applying for employment with a lodging establishment  
4 who would have access to guest room keys if employed to undergo  
5 a check of criminal history record information.

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

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

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

29 SECTION 7.2. DEADBOLT LOCKS REQUIRED IN HOTELS. <—

30 (A) GENERAL RULE.--AN INNKEEPER OF A HOTEL SHALL PROVIDE

1 EACH CONNECTING GUEST ROOM DOOR OF THE HOTEL WITH A DEADBOLT  
2 LOCK CAPABLE OF BEING UNLOCKED FROM INSIDE THE PROTECTED GUEST  
3 ROOM SIDE ONLY AND SHALL MAINTAIN THE DEADBOLT LOCKS IN GOOD  
4 WORKING ORDER AT ALL TIMES.

5 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
6 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
7 SUBSECTION:

8 "DEADBOLT LOCK." A LOCKING BOLT WITH A MINIMUM PROJECTION OF  
9 ONE INCH THAT IS ACTIVATED BY KNOB, HANDLE OR OTHER SIMILAR  
10 DEVICE.

11 "HOTEL." A HOTEL, MOTEL, BED AND BREAKFAST, HOMESTEAD, INN,  
12 GUEST HOUSE OR OTHER STRUCTURE WHICH HOLDS ITSELF OUT BY ANY  
13 MEANS, INCLUDING ADVERTISING, LICENSE, REGISTRATION WITH AN  
14 INNKEEPERS' GROUP, CONVENTION LISTING ASSOCIATION, TRAVEL  
15 PUBLICATION OR SIMILAR ASSOCIATION OR WITH A GOVERNMENT AGENCY,  
16 AS BEING AVAILABLE TO PROVIDE OVERNIGHT LODGING OR USE OF  
17 FACILITY SPACE FOR CONSIDERATION TO PERSONS SEEKING TEMPORARY  
18 ACCOMMODATION. THE TERM INCLUDES A PLACE WHICH ADVERTISES TO THE  
19 PUBLIC AT LARGE OR ANY SEGMENT THEREOF THAT IT WILL PROVIDE  
20 BEDS, SANITARY FACILITIES OR OTHER SPACE FOR A TEMPORARY PERIOD  
21 TO MEMBERS OF THE PUBLIC AT LARGE. THE TERM ALSO INCLUDES A  
22 PLACE RECOGNIZED AS A HOSTELRY.

23 Section 2. This act shall take effect in ~~60~~ 180 days.

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