

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.