

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 297 Session of
2011

INTRODUCED BY PIPPY, TARTAGLIONE, FOLMER, BROWNE, ERICKSON,
FONTANA, D. WHITE, WAUGH, BREWSTER, COSTA, STACK, BOSCOLA AND
WOZNIAK, JANUARY 27, 2011

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 27, 2011

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.--Except as provided in subsection (c), an
23 innkeeper shall require an individual applying for employment
24 with a lodging establishment who would have access to a guest

1 room key if employed to undergo a check of criminal history
2 record in accordance with 18 Pa.C.S. § 9121(b) (relating to
3 general regulations).

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

12 (c) Exception.--The provisions of subsections (a) and (b)
13 shall not apply to a lodging establishment with 20 or fewer
14 guest rooms.

15 (d) Definition.--As used in this section, the term "check of
16 criminal history record information" means a criminal history
17 record check under 18 Pa.C.S. Ch. 91 (relating to criminal
18 history record information).

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