

House Bill 3284

Sponsored by COMMITTEE ON JUDICIARY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires record keeping by parties to transaction in which room or space is leased or rented for 24 hours or less. Authorizes inspection of records by Department of Revenue, Department of Justice or law enforcement agencies. Authorizes Department of Revenue to establish manner of inspection by rule. Provides for civil penalties for failure to maintain records or make them available for inspection.

A BILL FOR AN ACT

1
2 Relating to rooms leased for 24 hours or less.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A person that leases, rents or otherwise grants the right to use a room**
5 **or space for 24 hours or less to another person for consideration shall maintain records**
6 **containing the following information pertaining to the person to whom the room or space is**
7 **leased or rented:**

8 (a) **The name and address of the person;**

9 (b) **The date and time at which the room or space is leased or rented;**

10 (c) **The length of time for which the room or space is leased or rented;**

11 (d) **The Social Security number or a copy of the driver license of the person; and**

12 (e) **If the person is under 18 years of age:**

13 (A) **A statement signed by the parent or legal guardian of the underage person in the**
14 **presence of the person leasing or renting the room or space or the person's employee, that**
15 **the underage person has the parent's or legal guardian's permission to lease or rent the**
16 **room or space; and**

17 (B) **The address, telephone number and Social Security number of the parent or legal**
18 **guardian.**

19 (2) **A person who renders consideration for the occupancy of a room or space for 24 hours**
20 **or less shall maintain records containing the following information:**

21 (a) **The total amount of fees, including tips and gratuities, received by any person in**
22 **connection with the occupancy of the room or space during the period of occupancy; and**

23 (b) **The date on which the fees are received.**

24 (3) **Subsection (1) of this section does not apply to a person that leases, rents or other-**
25 **wise grants the right to use a room or space if the person is:**

26 (a) **A public entity; or**

27 (b) **A nonprofit corporation that has a current annual report filed pursuant to ORS 65.787**
28 **and has not violated ORS 65.661 or 65.737.**

29 (4)(a) **Records maintained pursuant to this section must be preserved for at least five**
30 **years after the date of the record, unless the Department of Revenue, in writing, authorizes**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 the destruction or disposal of the records at an earlier date.

2 (b) The records are subject to inspection, upon oral or written demand, by the Depart-
3 ment of Revenue, the Department of Justice or law enforcement agencies, at times and in
4 a manner to be established by rule by the Department of Revenue.

5 (5)(a) A person that fails to maintain the records required under subsection (1) of this
6 section or to make them available for inspection under subsection (4) of this section may be
7 required to pay a civil penalty as follows:

8 (A) A fine of not more than \$500 for the first offense;

9 (B) A fine of not more than \$1,000 for the second offense; or

10 (C) A fine of not more than \$10,000 for each subsequent offense, plus attorney fees and
11 other expenses associated with the investigation and prosecution of the offense and col-
12 lection of the fine.

13 (b) A person who fails to maintain the records required under subsection (2) of this sec-
14 tion or to make them available for inspection under subsection (4) of this section may be
15 required to pay a civil penalty as follows:

16 (A) A fine of not more than \$250 for the first offense;

17 (B) A fine of not more than \$500 for the second offense; or

18 (C) A fine of not more than \$5,000 for each subsequent offense, plus attorney fees and
19 court costs.

20 SECTION 2. Section 1 of this 2011 Act applies to the leasing or renting of a room or space
21 on or after the effective date of this 2011 Act.

22