

Enrolled
House Bill 3101

Sponsored by Representative GOMBERG; Representative KENNEMER

CHAPTER

AN ACT

Relating to hotel facility fees; creating new provisions; and amending ORS 699.005.

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

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 699.005 to 699.060.

SECTION 2. (1) A hotelkeeper or innkeeper may not charge a facility fee in addition to the price of rental of a guest room in the hotel or inn unless the hotelkeeper or innkeeper discloses the facility fee at the time that a guest reserves or rents a guest room, whichever is sooner.

(2) A travel arrangement company that facilitates the reservation or rental of a guest room in a hotel or inn shall disclose at the time of reservation or rental, whichever is sooner, any facility fee that the hotel or inn charges in addition to the price of rental of a guest room.

(3) This section does not prohibit the hotelkeeper or innkeeper from assessing any state or local transient lodging taxes.

**SECTION 3. ORS 699.005 is amended to read:
699.005. As used in ORS 699.005 to 699.060:**

(1) "Facility fee" means a fee for amenities or services generally accessible to all guests of a hotel or inn without special request by a guest, that is charged to all guests regardless of use of those amenities or services.

(2) "Hotel" or "inn" means a property, however owned and including a condominium under ORS chapter 100, in which rooms or suites of rooms generally are rented as transient lodgings and not as principal residences.

[2] (3) "Hotelkeeper" or "innkeeper" means the sole proprietorship, partnership, corporation or other business entity [which] that manages, rents or operates a hotel or inn[, including]. "Hotelkeeper" or "innkeeper" includes the officers and employees of the business entity.

[3] (4) "Transient lodging" means a room or suite of rooms [which] that is not occupied [not] as a principal residence:

(a) By persons for periods of less than 30 consecutive days; or

(b) With which the services normally offered by hotels, including but not limited to daily or bidaily maid and linen service, a front desk and a telephone switchboard, are provided, regardless of the length of occupancy of a person.

Passed by House April 13, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 24, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State