

CHAPTER 85

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 95-1083

BY REPRESENTATIVES Sullivant, Foster, Dean, Dyer, Kreutz, Lamborn, and May;
also SENATORS Hopper, Alexander, and Weddig.

AN ACT

CONCERNING PERSONS WHO RENT LODGING ESTABLISHMENT ROOMS, AND, IN CONNECTION THEREWITH, THE RIGHTS OF INNKEEPERS WITH RESPECT TO SUCH PERSONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 44 of title 12, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PART to read:

**PART 3
INNKEEPERS' RIGHTS**

12-44-301. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "INNKEEPER" MEANS THE OWNER, OPERATOR, OR MANAGER OF A LODGING ESTABLISHMENT.

(2) "LODGING ESTABLISHMENT" MEANS A BED AND BREAKFAST, AS DEFINED IN SECTION 12-47-103 (1.7), OR A HOTEL, MOTEL, RESORT, OR PUBLIC INN, AS DEFINED IN SECTION 12-44-101 (3).

(3) "MINOR" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.

(4) "RESORT" MEANS A HOTEL WITH RELATED SPORTS AND RECREATIONAL FACILITIES FOR THE CONVENIENCE OF ITS GUESTS OR THE GENERAL PUBLIC LOCATED CONTIGUOUS OR ADJACENT TO THE HOTEL.

12-44-302. Innkeepers' right to refuse accommodations - exceptions. (1) AN INNKEEPER HAS THE RIGHT TO REFUSE OR DENY ACCOMMODATIONS, FACILITIES, AND THE PRIVILEGES OF A LODGING ESTABLISHMENT TO ANY PERSON WHO IS NOT WILLING

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

OR ABLE TO PAY FOR SUCH ACCOMMODATIONS, FACILITIES, AND SERVICES. THE INNKEEPER SHALL HAVE THE RIGHT TO REQUIRE A PROSPECTIVE GUEST TO DEMONSTRATE HIS OR HER ABILITY TO PAY BY CASH, VALID CREDIT CARD, OR A VALIDATED CHECK, AND IF THE PROSPECTIVE GUEST IS A MINOR, THE INNKEEPER MAY REQUIRE A PARENT OR LEGAL GUARDIAN OF SUCH MINOR OR OTHER RESPONSIBLE ADULT:

(a) TO PROVIDE A VALID CREDIT CARD NUMBER OR AGREE, IN WRITING, TO PAY FOR THE COST OF:

(I) THE GUEST ROOM, INCLUDING APPLICABLE TAXES;

(II) ALL CHARGES MADE BY THE MINOR; AND

(III) ANY DAMAGES CAUSED BY THE MINOR OR THE MINOR'S GUESTS TO THE GUEST ROOM OR ITS FURNISHINGS; OR

(b) TO PROVIDE AN ADVANCE CASH PAYMENT TO COVER THE COST OF THE GUEST ROOM FOR ALL NIGHTS RESERVED, INCLUDING APPLICABLE TAXES, PLUS A CASH DEPOSIT TO BE HELD TOWARD THE PAYMENT OF ANY CHARGES MADE BY THE MINOR AND ANY DAMAGES TO THE GUEST ROOM OR ITS FURNISHINGS. THE CASH DEPOSIT SHALL BE REFUNDED, UNLESS APPLIED TO CHARGES OR DAMAGES, FOLLOWING A JOINT INSPECTION OF THE ROOM. IT IS THE OBLIGATION OF THE GUEST TO JOIN THE INNKEEPER DURING THE INSPECTION. SHOULD THE GUEST FAIL TO JOIN THE INNKEEPER, THE GUEST THEREBY WAIVES HIS OR HER RIGHT TO THE JOINT INSPECTION. SUCH REFUND, IF ANY, SHALL IMMEDIATELY BE MADE TO THE EXTENT IT IS NOT USED TO COVER THE DESCRIBED CHARGES OR DAMAGES.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 1995, and shall apply to acts committed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 17, 1995