

# D R A F T

## SUMMARY

Prohibits hotels or inns from charging facility fees in addition to price of guest room rental.

### A BILL FOR AN ACT

1  
2 Relating to hotel facility fees; creating new provisions; and amending ORS  
3 699.005.

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

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

7 **SECTION 2. (1) A hotelkeeper or innkeeper may not charge a fa-**  
8 **cility fee in addition to the price of rental of a guest room in the hotel**  
9 **or inn.**

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

12 **SECTION 3. ORS 699.005 is amended to read:**

13 699.005. As used in ORS 699.005 to 699.060:

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

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

21 **[(2)] (3) "Hotelkeeper" or "innkeeper" means the sole proprietorship,**

1 partnership, corporation or other business entity [*which*] **that** manages, rents  
2 or operates a hotel or inn[, *including*]. **“Hotelkeeper” or “innkeeper” in-**  
3 **cludes** the officers and employees of the business entity.

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

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

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

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