

HOUSE BILL REPORT

EHB 2555

As Passed Legislature

Title: An act relating to transient accommodations licensing and inspections.

Brief Description: Modifying licensing and inspection of transient accommodations.

Sponsors: Representative Heavey; by request of Department of Health.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 4, 1994, DPA;
Appropriations, February 7, 1994, DPA(CL);
Passed House, February 14, 1994, 96-0;
Amended by Senate;
House concurred;
Passed Legislature, March 7, 1994, 95-0.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 9 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King; Springer and Veloria.

Staff: Wright Noel (786-5793) and Jim Kelley (786-7166).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Commerce & Labor. Signed by 25 members: Representatives Sommers, Chair; Valle, Vice Chair; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; G. Fisher; Foreman; Jacobsen; Lemmon; Linville; H. Myers; Peery; Rust; Sehlin; Sheahan; Stevens; Talcott; Wang; Wineberry and Wolfe.

Staff: Jim Lux (786-7152).

Background: "Transient accommodations" which include hotels, motels, resorts, youth hostels and shelters are licensed by the Department of Health. Licenses can be issued anytime during the year; however, all licenses expire

on January 1. License renewal applications must be made no later than 30 days before the license expires. An annual fee is assessed to cover the application process.

Before a license can be issued or renewed, buildings being used as transient accommodations must be inspected by the Department of Health. A fee is charged for each inspection. The director of community development, through the director of fire protection, is to establish and enforce fire and life safety rules and regulations for transient accommodations.

Transient accommodation licenses can be suspended or revoked when the person operating a transient accommodation fails or refuses to comply with rules established by the Department of Health.

Summary of Bill: Technical revisions are made replacing references to "hotels and motels" licensing with "transient accommodation" licensing.

The number of facilities inspected each year is reduced from all facilities to at least 10 percent of the facilities. Each new facility will be inspected. The Department of Health will develop and use survey methods which will encourage persons operating transient accommodations to self-inspect and comply with the licensing rules. The reduction in inspections and the subsection requiring the department to develop and use survey methods will last only until June 1997 pending a favorable report from the department by December 1, 1996, and reenactment of legislation continuing these practices.

The annual license period is the period from the date of issuance rather than January 1 to December 31. To receive an initial license, the licensee must file an application with the department at least 60 days before the business opens. To renew a license, the licensee must file an application with the department at least 30 days before the license expires.

The department is to establish a single fee to cover the cost of licensure and enforcement activities.

The department is authorized to impose civil fines in lieu of or in addition to revocation or suspension of a license.

The director of Community, Trade, and Economic Development continues to have the power to establish fire and safety rules for transient accommodations, but these rules will be enforced by local fire authorities.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Commerce & Labor) This bill is a department request bill and part of the Governor's budget. The industry is very good at regulating itself. The department receives very few complaints about transient accommodations. Transient accommodations will be inspected by random sample for renewal applications, but sites that receive complaints will be inspected. The industry will work with the department to maintain a high level of quality in the industry.

(Appropriations) The department receives very few complaints and feels the industry can effectively regulate itself. The combination of inspecting facilities upon initial licensing, a random sample of inspections upon license renewal, and automatic inspection upon complaint will protect the public's health.

Testimony Against: (Commerce & Labor) None.

(Appropriations) None.

Witnesses: (Commerce & Labor) (In favor) Cathy Stout, Department of Health; and Becky Bogard, Washington State Hotel Motel Association.

(Appropriations) Kathy Stout, Department of Health; and Becky Bogard, Washington State Hotel/Motel Association (pro).