

HOUSE BILL REPORT

EHB 2555

As Amended by Senate

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 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: Any person operating a hotel or motel must be 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: References to licensing of "hotels and motels" are changed to "transient accommodations." A transient accommodation license can be applied for at any time. The application must be filed with the Department of Health 60 days or more before the business opens and the license expires one year after the date of issuance. Before a license is issued the department is required to inspect the transient accommodation.

Transient accommodation licenses can be renewed, if an application is made 30 days or more before the expiration of the license. The department is required to inspect at least 10 percent of licensed facilities. The department is also required to develop and use alternative survey methods which encourage the person operating a transient accommodation to self-inspect.

The department is to establish and assess a fee to cover inspection and license application costs.

Besides revocation and suspension powers, the department has the power to assess civil fines when a person operating a transient accommodation fails or refuses to comply with rules established by the Department of Health.

The director of Community, Trade and Economic Development continues to have the power to establish fire and safety rules for transient accommodations, but will no longer have the power to enforce these rules.

EFFECT OF SENATE AMENDMENT(S): The reduction in transient accommodation inspections will last only until June 1997 pending a favorable report from the Department of Health by December 1, 1996, and reenactment of legislation continuing the reduced level of inspections.

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).

VOTE ON FINAL PASSAGE:

Yeas 96; Excused 2

Excused: Representatives Cothorn, Riley