

SENATE BILL REPORT

SB 5863

As of February 21, 2019

Title: An act relating to creating transient accommodation short-term agreement standards.

Brief Description: Creating transient accommodation short-term agreement standards.

Sponsors: Senators Van De Wege and Holy.

Brief History:

Committee Activity: Human Services, Reentry & Rehabilitation: 2/14/19.

Brief Summary of Bill

- Expands the definitions of transient accommodation, lodging unit, and person.
- Defines short-term agreement specific to a transient accommodation.
- Adds notice language to the short term agreement specific to information about specified registered sex offenders, and how to access that information.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Staff: Keri Waterland (786-7490)

Background: Currently the Washington State Department of Health (DOH) investigates complaints of transient accommodations concerning health and safety conditions—physical environment and services, and unlicensed facilities.

When a complaint is received and it is determined an investigation is needed, DOH conducts an unannounced investigation of the facility. DOH may close the case, continue the investigation, issue a compliance plan, or take legal action such as issuing a fine, revoking the license, or closing the facility. DOH may conduct follow-up inspections to verify corrections have been made or the facility has closed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

DOH works with other agencies that also have jurisdiction. When appropriate, DOH will jointly investigate a site with other agencies including law enforcement, local health departments or districts, and local zoning or code enforcement.

Information about specified registered sex offenders is made available to the public via a website maintained by the Washington Association of Sheriffs and Police Chiefs.

The term "transient accommodation" means any facility such as a hotel, motel, condominium, resort, or any other facility or place offering three or more lodging units to travelers and transient guests.

The term "person" means any individual, firm, partnership, corporation, company, association or joint stock association, and the legal successor thereof.

The term "lodging unit" means one self-contained unit designated by number, letter or some other method of identification.

Summary of Bill: "Transient accommodation" means any facility such as a hotel, motel, condominium, resort, or any other facility or place offering one or more lodging units to travelers and transient guests.

The definition of lodging unit must include naming a unit as a method of identification in a transient accommodation in addition to numbers and letters.

The definition of person must include any limited liability company.

"Short-term agreement" means an agreement for the short-term rental of a lodging unit that meets the requirements of the bill; and is signed by the parties to the agreement, including the guest and the person operating the transient accommodation or the person's agent or designee.

A person operating a transient accommodation must include, at minimum, the following information in a short-term agreement for rental of a lodging unit:

- the price per night;
- the duration of the short-term rental period;
- the full name of the parties to the agreement, including the full name of the guest and the person operating the transient accommodation; and
- the following notice language:

NOTICE: Information about specified registered sex offenders is made available to the public via a web site maintained by the Washington Association of Sheriffs and Police Chiefs at www.waspc.org/sex-offender-information. Depending on an offender's criminal history, this information includes either the address at which the offender resides, or the community of residence and ZIP Code in which he or she resides. This notice is provided in accordance with RCW 70.62.--- (this section).

Appropriation: None.

Fiscal Note: Requested on February 9, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This was brought up by a concerned citizen. There is a gap in the system of when someone needs to register but is not supervised by DOC, and does not have conditions expect for registration. This bill is not punitive, but is intended to bridge the gap by providing information for consumers specific to where and how to obtain information about a potential registered sex offender.

OTHER: Guest safety is a top priority and take numerous steps. It provides a little concern to our members. Tourism is a big thing and imagine how you would feel if the first thing you see if for sex offender. Fairness and equity is needed. Regulations are needed for this business.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor.

OTHER: Julia Gorton, Washington Hospitality Association.

Persons Signed In To Testify But Not Testifying: No one.