

Amend (3231) v Do Pass 3/2/87 (p 720)

House File 556

Natural Resources and Outdoor Recreation: Gruhn, Chair; Johnson and Paulin.

Sen. Small Business 4/1/87 Do Pass 4/9/87 (p 1188)

MAR 17 1987

HOUSE FILE 556

NATURAL RESOURCES AND
OUTDOOR RECREATION

BY MCKEAN, JOHNSON, MULLINS,
and OSTERBERG

Passed House, Date 3-30-87 (p. 939) Passed Senate, Date 4-14-87 (p. 1303)

Vote: Ayes 93 Nays 2 Vote: Ayes 48 Nays 0

Approved _____

A BILL FOR

- 1 An Act relating to, and defining, bed and breakfast inns, and
- 2 subjecting violators to existing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 556

H-3231

- 1 Amend House File 556 as follows:
- 2 1. Page 1, line 4, by striking the words
- 3 "However, an inn".
- 4 2. Page 1, by striking lines 5 through 8.

BY COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION

H-3231 FILED MARCH 20, 1987

Adopted 3/30/87 (p 939)

12
13
14
15
16
17
18
19
20
21
22
23
24

72

1 Section 1. NEW SECTION. 170A.17 BED AND BREAKFAST INN.

2 1. This chapter does not apply to a bed and breakfast inn
3 as defined in section 170B.2, subsection 8, if the inn pro-
4 vides food service to overnight guests only. However, an inn
5 providing food service to overnight guests must receive per-
6 mission of the department to provide food service and agree to
7 operate its food service within the department's guidelines
8 for home bakeries and other food sales from home.

9 2. This chapter does apply to a bed and breakfast inn
10 which provides food service to the general public other than
11 its overnight guests, but separate kitchen facilities shall
12 not be required.

13 Sec. 2. Section 170B.2, Code 1987, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 8. "Bed and breakfast inn" means a hotel
16 which has nine or fewer guest rooms.

17 Sec. 3. NEW SECTION. 170B.21 BED AND BREAKFAST INN.

18 A bed and breakfast inn is subject to regulation,
19 licensing, and inspection under this chapter, but separate
20 toilet and lavatory facilities shall not be required for each
21 guest room.

22 EXPLANATION

23 This bill provides that a bed and breakfast inn, which is
24 defined as a hotel with nine or fewer guest rooms, is required
25 to be licensed as a hotel, but it is not required to have a
26 separate toilet and lavatory facility for each guest room.

27 A bed and breakfast inn is exempt from the food service
28 sanitation code if it serves food to overnight guests only,
29 but it must be granted permission to provide the food service
30 by the department of inspections and appeals and must agree to
31 provide the food service within the department's guidelines
32 for home bakeries and other food sales from home. If a bed
33 and breakfast inn provides food service to the general public
34 other than its overnight guests, the inn must be licensed
35 under chapter 170A, but separate kitchen facilities shall not

1 be required.

2 Violations of chapters 170A and 170B are punishable as
3 simple misdemeanors.

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

HOUSE FILE 556
BY MCKEAN, JOHNSON, MULLINS,
and OSTERBERG

(As Amended and Passed by the House March 30, 1987)

Passed House, Date 3/30/87 (p 939) Passed Senate, Date 4-14-87 (2 p 1301)
Vote: Ayes 93 Nays 2 Vote: Ayes 48 Nays 0
Approved June 5, 1987

A BILL FOR

1 An Act relating to, and defining, bed and breakfast inns, and
2 subjecting violators to existing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Deleted Language *

1 Section 1. NEW SECTION. 170A.17 BED AND BREAKFAST INN.

2 1. This chapter does not apply to a bed and breakfast inn
3 as defined in section 170B.2, subsection 8, if the inn pro-
*4 vides food service to overnight guests only.

5 2. This chapter does apply to a bed and breakfast inn
6 which provides food service to the general public other than
7 its overnight guests, but separate kitchen facilities shall
8 not be required.

9 Sec. 2. Section 170B.2, Code 1987, is amended by adding
10 the following new subsection:

11 NEW SUBSECTION. 8. "Bed and breakfast inn" means a hotel
12 which has nine or fewer guest rooms.

13 Sec. 3. NEW SECTION. 170B.21 BED AND BREAKFAST INN.

14 A bed and breakfast inn is subject to regulation,
15 licensing, and inspection under this chapter, but separate
16 toilet and lavatory facilities shall not be required for each
17 guest room.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 556
FISCAL NOTE

REQUESTED BY REPRESENTATIVE MCKEAN

In compliance with a written request received March 17, 1987, a fiscal note for HOUSE FILE 556 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 556 provides that a bed and breakfast inn, which is defined as a hotel with nine or fewer guest rooms, is required to be licensed as a hotel, but it is not required to have a separate toilet and lavatory facility for each guest room. The bill exempts a bed and breakfast inn from the food service sanitation code if it serves food to overnight guests only, but it must be granted permission to provide the food service by the Department of Inspections and Appeals and must agree to provide the food service within the department's guidelines for home bakeries and other food sales from home. If a bed and breakfast inn provides food service to the general public other than its overnight guests, the inn must be licensed under chapter 170A, but separate kitchen facilities shall not be required.

ASSUMPTIONS:

1. One hundred bed and breakfast inns would be licensed.
2. Ten bed and breakfast inns are currently licensed as hotel.
3. Sixty-seven or 75% of the remaining 90 inns would serve food to overnight guests only (hotel license fee - \$20).
4. Twenty-three or 25% of the remaining 90 inns would serve food to the general public (hotel license fee - \$20, restaurant license fee - \$40).

FISCAL IMPACT:

	Fiscal Year 1988			Fiscal Year 1989		
	Current Law	Proposed Law	Increase (Decrease)	Current Law	Proposed Law	Increase (Decrease)
<u>REVENUE</u>						
General Fund \$	0	\$ 2,720	\$ 2,720	\$ 0	\$ 2,720	\$ 2,720
(License Fees)						
Total \$	0	\$ 2,720	\$ 2,720	0	\$ 2,720	\$ 2,720
<u>EXPENDITURES</u>						
Salaries \$	0	\$ 5,000	\$ 5,000	\$ 0	\$ 5,000	\$ 5,000
(FTE's)		(.25)	(.25)		(.25)	(.25)
Other	0	1,500	1,500	0	1,500	1,500
Total \$	0	\$ 6,500	\$ 6,500	0	\$ 6,500	\$ 6,500
NET EFFECT	\$ 0	\$ -3,780	\$ -3,780	\$ 0	\$ -3,780	\$ -3,780

Source: Department of Inspections and Appeals

(LSB 2640H, TCF)

FILED MARCH 30, 1987

BY DENNIS PROUTY, FISCAL DIRECTOR

toilet and lavatory facilities shall not be required for each guest room.

HOUSE FILE 556

AN ACT
RELATING TO, AND DEFINING, BED AND BREAKFAST INNS, AND SUB-
JECTING VIOLATORS TO EXISTING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 170A.17 BED AND BREAKFAST INN.

1. This chapter does not apply to a bed and breakfast inn as defined in section 170B.2, subsection 8, if the inn provides food service to overnight guests only.

2. This chapter does apply to a bed and breakfast inn which provides food service to the general public other than its overnight guests, but separate kitchen facilities shall not be required.

Sec. 2. Section 170B.2, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 8. "Bed and breakfast inn" means a hotel which has nine or fewer guest rooms.

Sec. 3. NEW SECTION. 170B.21 BED AND BREAKFAST INN.

A bed and breakfast inn is subject to regulation, licensing, and inspection under this chapter, but separate

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 556, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved June 5, 1987

TERRY E. BRANSTAD
Governor

HF 556