

Sec. 21. **CONDITIONAL IMPLEMENTATION – PROVISIONS OF THE INVENTION DEVELOPMENT SERVICES ACT.** Sections 523G.6, 523G.10, and 523G.11, relating to the duties and authority of the commissioner of insurance under the invention development services Act, shall only be implemented if and when the general assembly makes an appropriation of at least ten thousand dollars and provides for the retention of one part-time clerk for a total of at least one-half full-time equivalent position devoted to the insurance division of the department of commerce for the implementation of those sections.

Sec. 22. **INSTRUCTIONS TO CODE EDITOR.** The Code editor shall reverse the order that section 523B.13, subsections 3 and 4, appear in the Code.

Approved March 31, 1994

CHAPTER 1032

INNKEEPERS AND GUESTS

H.F. 2232

AN ACT relating to the rights and obligations of innkeepers and guests.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 137C.25 RIGHT OF HOTEL OPERATOR TO DENY SERVICES.**

1. A person operating a hotel has the right to refuse or deny the use of a room, accommodations, facilities, or other privileges of the hotel to any of the following:

a. An individual unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel.

b. An individual who is visibly publicly intoxicated or under the influence of alcohol or some other illegal drug, or who is disorderly so as to create a public nuisance.

c. An individual the hotel operator reasonably believes is seeking to use a room, accommodations, facilities, or other privileges of the hotel for an unlawful purpose.

d. An individual the hotel operator reasonably believes is bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to firearms or explosives.

e. An individual whose use of the room, accommodations, facilities, or other privileges of the hotel would result in a violation of the maximum capacity of such hotel.

2. A hotel operator who reasonably refuses or denies the use of a room, accommodations, facilities, or other privileges of the hotel pursuant to this section is not subject to any civil or criminal action or any fine or other penalty, unless the refusal or denial is a violation of state or federal law.

Sec. 2. **NEW SECTION. 137C.25A RIGHT TO REQUIRE FINANCIAL GUARANTEE.**

The hotel operator has the right to require a person seeking the use of a room, accommodations, facilities, or other privileges of the hotel to demonstrate the ability to pay for such use by cash, credit card, or approved check. The hotel operator may require the parent or guardian of a minor to do all of the following:

1. Accept in writing the liability for the cost of the room, accommodations, facilities, or other privileges of the hotel used by the minor, and for the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the minor while the minor is using the room, accommodations, facilities, or other privileges of the hotel.

2. Provide the hotel operator with one of the following:

a. The authority to charge any amount due for the cost of the room, accommodations, facilities, or other privileges of the hotel used by the minor, and for the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the minor while the minor is using the room, accommodations, facilities, or other privileges of the hotel to a credit card as defined in section 537.1301, subsection 16.

b. An advance cash payment sufficient to cover the cost of the room, accommodations, facilities, or other privileges of the hotel used by the minor, and a reasonable amount as a deposit toward the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the minor while the minor is using the room, accommodations, facilities, or other privileges of the hotel. A cash deposit for any damages required by the hotel operator shall be refunded to the extent not used to cover the cost of any such damages as determined by the hotel operator following an inspection of the room, accommodations, or facilities of the hotel used by the minor at the end of the minor's stay.

Sec. 3. NEW SECTION. 137C.25B RESTITUTION.

In addition to any other applicable penalties, a court may order a person to pay restitution for any damages caused by such person which are suffered by the owner or operator of the hotel. Damages for which restitution may be ordered, in addition to physical damages, may include the loss of revenue resulting from the hotel being unable to rent or lease the room, accommodation, or facility during any time of repair, and restitution to any other individual who is injured or whose property is damaged as a result of the violation. The parent or guardian of a minor shall be liable to the owner or operator for the acts of the minor which result in damage to the room, accommodation, or facility, and for restitution to any other individual who is injured or whose property is damaged as a result of such acts.

Sec. 4. NEW SECTION. 137C.25C RIGHT TO EJECT.

An owner or operator of a hotel may eject a person from the hotel for any of the following reasons:

1. Nonpayment of charges incurred by the individual renting or leasing a room, accommodations, or facilities of the hotel when the charges are due and owing.
2. The individual renting or leasing a room, accommodations, or facilities of the hotel is visibly intoxicated, or is disorderly so as to create a public nuisance.
3. The owner or operator reasonably believes that the individual is using the premises for an unlawful purpose including, but not limited to, the unlawful use or possession of controlled substances or the use of the premises for the consumption of alcohol by an individual in violation of section 123.47 or 123.47A.
4. The owner or operator reasonably believes that the individual has brought anything into the hotel which may create an unreasonable danger or risk to other persons, including but not limited to firearms or explosives.
5. The individual is in violation of any federal, state, or local laws or regulations relating to the hotel.
6. The individual is in violation of any rule of the hotel which is posted as provided in section 137C.25D.

Sec. 5. NEW SECTION. 137C.25D POSTING RULES BY OWNER OR OPERATOR.

An owner or operator of a hotel shall post a copy of sections 137C.25 through 137C.25C, in addition to any rules established by the owner or operator of the hotel, in a conspicuous place at or near the guest registration desk and in each room of the hotel.

Sec. 6. NEW SECTION. 137C.25E DOCUMENTATION AND REGISTRATION REQUIREMENTS.

A hotel shall keep and maintain for a period of three years, a guest register which shall show the name, residence, date of arrival, and date of departure of each individual renting or leasing a room, accommodations, or facilities of the hotel.

Each individual renting or leasing a room, accommodations, or facilities of the hotel shall register, and may be required by the owner or operator of the hotel to show proof of identity by producing a valid driver's license, or other identification satisfactory to the owner or operator. The identification shall have a photograph of the individual and include the name and residence of the individual. If the individual is a minor, the owner or operator may also require a parent or guardian of the minor to register.

The guest register may be kept and maintained by recording, copying, or reproducing the register by any photographic, photostatic, microfilm, microcard, miniature photographic, electronic imaging, electronic data processing, or other process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or reproduction of the original.

Approved March 31, 1994

CHAPTER 1033

COMMUNITY HEALTH MANAGEMENT INFORMATION SYSTEM

S.F. 2069

AN ACT relating to the development and implementation of a community health management information system, providing a civil penalty, and extending the repeal of the health data commission.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 144C.1 SHORT TITLE.

This chapter shall be cited as the "Community Health Management Information System Act".

Sec. 2. LEGISLATIVE FINDINGS.

The general assembly finds that the development of a community health management information system will result in a more efficient and cost-effective health care transaction process; provide an efficient mechanism for the exchange of medical and transactional information among providers and other interested entities; provide communities with information on cost, appropriateness, and effectiveness of health care providers; and provide information to employers and researchers which will allow for benefit plan analysis, severity of illness and outcomes analysis, and related studies. The general assembly finds that the exchange of such medical and transactional information, while vital in the effort to control health care administrative costs and in analyzing benefit plans and medical outcomes, must be accomplished in a manner which protects and assures patient confidentiality; that authorized users of the system must keep such information confidential; and that the privacy rights of individuals must not be violated as a result of the exchange of such information. The general assembly also finds that the implementation of such a system will result in a reduction of the number of paper transaction forms that need to be completed, a reduction in the error rate on transaction submissions, an improvement in the overall data communication among affected parties, and a reduction in health care administrative costs. The general assembly also finds that there shall be only a single community health management information system in this state.

Sec. 3. NEW SECTION. 144C.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the community health management information system governing board established in section 144C.5.
2. "Commissioner" means the commissioner of insurance.