

(H. B. 940)

(No. 305)

(Approved December 23, 1998)

AN ACT

To amend subsection (a) of Section 15; add a new Section 19; and renumber Section 19 as Section 20 of Act No. 85 of June 23, 1956, as amended, known as the “Innkeepers’ Act of 1955,” in order to amend the definition of the term hotel, incorporate the term motel into said definition, and provide that any and all lodging facilities shall advertise in accordance with the occupancy permit issued by the pertinent government body.

STATEMENT OF MOTIVES

Act No. 85 of June 23, 1956, as amended, known as the “Innkeepers’ Act of 1955,” establishes the liability of innkeepers for the loss or destruction of or damages to property belonging to guests, and regulates the rights and duties of innkeepers with respect to their guests, among others.

Said Act lists various kinds of lodging facilities, each with their specific characteristics which, in turn, give rise to their respective names. Tourist villas, for example, consist either of one building or various scattered buildings containing between 7 and 50 lodging units, each with at least one bedroom, and bathroom and kitchen facilities. Lodgings known as guest houses consist of a maximum of 25 rooms, which operate namely for

Comment [A1]: Ni idea de qué voy a hacer con esto!!! Give rise to their respective/particular names. Account for their names...

Comment [A2]: cotejar ley.

vacationing tourists. On the other hand, the facilities known as hotels consist of not less than 15 rooms and one or more dining rooms.

Likewise, there are those lodgings known as motels, which have not been included in the definition. The main characteristics of these lodgings are the individual garage per room; the fractionable rates, charged according to the number of hours the guest stays; 24-hour room service; and easy access to passing motorists, due to their being located mostly in the cities' outskirts.

The Legislature of Puerto Rico deems it necessary to amend the "Innkeepers' Act of 1955," in order to amend the meaning of the term hotel; incorporate the term motel into said definition; and provide that any and all lodging facilities shall advertise in accordance with the occupancy permit issued by the pertinent government body.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.—Subsection (a) of Section 15 of Act No. 85 of June 23, 1956, as amended, is hereby amended to read as follows:

"Section 15.—Definitions.—As used in this Act, the terms hereinafter mentioned shall have the meaning here assigned to them:

- (a) 'Hotel'.—shall mean any place of shelter operated for profit, providing protection for persons and property, and shall include any building or group of buildings under a common management where the general public is admitted, where all who conduct themselves properly and who are able and ready to pay for their lodging are received, if there is accommodation for them, and who, while there, are supplied lodging and meals, and such lodging, service and other attentions as the establishment may

afford at the rates established by the hotel. The term shall include any establishment having fifteen (15) or more bedrooms, including hotels, apartment hotels, inns, guest cottages, rooming houses, lodging houses, *paradores*, tourist villas, condohotels, short-term rental condominiums, motels, and any other establishment by whatever name it is known or advertised offering lodging and meals to the public. A motel is construed to be the establishment engaged in lodging whose main characteristics are the individual garage per room; the fractionable rates, charged according to the number of hours the guest stays; 24-hour room service; and easy access to passing motorists, due to their being located mostly in the cities' outskirts. The fact that meals are offered in a restaurant or café operated within the hotel premises by a person other than the innkeeper shall not preclude the establishment from being classified as a hotel.”

Section 2.—A new Section 19 is hereby added, and Section 19 renumbered as Section 20 of Act No. 85 of June 23, 1956, as amended, to read as follows:

“Section 19.—Prohibitions.—Any business establishment engaged in providing lodgings under the provisions of this Act shall advertise in strict accordance with the approval of the site consultation as granted by the Planning Board or by the occupancy permit granted for said establishment to operate by the Regulations and Permits Administration, or by authorization to said establishment by the Tourism Company through regulations to that effect. Any person infringing upon the provisions of this Section shall be sentenced to pay a fine in the amount of five thousand (5,000) dollars.”

Section 3.—This Act shall take effect immediately after its approval.

March 1, 2001

Dynorah R. Requena-Gallego, Esq., Acting Director of the Office of Legislative Services of the Legislature of Puerto Rico, hereby certifies to the Secretary of State that she has duly compared the English and Spanish texts of Act No. 305 (H.B. 940) of the 4th Session of the 13th Legislature of Puerto Rico, entitled:

AN ACT to amend subsection (a) of Section 15; add a new Section 19; and renumber Section 19 as Section 20 of Act No. 85 of June 23, 1956, as amended, known as the "Innkeepers' Act of 1955," in order to amend the definition of the term hotel, incorporate the term motel into said definition, and provide that any and all lodging facilities shall advertise in accordance with the occupancy permit issued by the pertinent government body,

and finds the same are complete, true and correct versions of each other.

Dynorah R. Requena-Gallego