



1999 ASSEMBLY BILL 606

December 1, 1999 - Introduced by Representatives SPILLNER, PORTER, REYNOLDS, WARD, HUTCHISON, SERATTI, OLSEN, HUNDERTMARK, GOETSCH, GUNDERSON, JESKEWITZ, KAUFERT, KELSO, KLUSMAN, MUSSER, NASS, SKINDRUD, STONE and F. LASEE, cosponsored by Senators BAUMGART, BURKE, DECKER, HUELSMAN, ROSENZWEIG, RUDE and BRESKE. Referred to Committee on Tourism and Recreation.

- 1 **AN ACT to renumber and amend** 254.61 (1) (f); and **to create** 254.61 (1) (f) 2.
2 of the statutes; **relating to:** expanding the definition of “bed and breakfast
3 establishment”.

Analysis by the Legislative Reference Bureau

Under current law, “bed and breakfast establishment” is defined for the purposes of determining the applicability of building code requirements and laws regulating environmental health, alcohol beverages and rental discrimination. Establishments that provide food and lodging beyond the scope of the definition of “bed and breakfast establishment” are subject to regulation as hotels, restaurants and other similar establishments, which, generally, are subject to the commercial building code and commercial restaurant regulations. Currently, the definition of “bed and breakfast establishment” encompasses any place of lodging that provides eight or fewer rooms for rent to no more than a total of 20 tourists or transients; provides no meals other than breakfast and provides the breakfast only to the renters; is the owner’s personal residence; is occupied by the owner at the time of rental; and was originally built and occupied as a single-family residence or, before use as a place of lodging, was converted to use and occupied as a single-family residence. The last requirement of the definition is that the place must have had completed, before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that a structural addition, including a renovation, may, after that date, be made within the dimensions of the original structure. Biennial permits for the the operation of bed and breakfast establishments are issued by the department of health and family services.

