

Amendment No. 202

Senate Amendment to Senate Bill No. 256 (BDR 54-1018)

Proposed by: Senate Committee on Commerce, Labor and Energy**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DHR/MSM



Date: 4/2/2015

S.B. No. 256—Revises provisions relating to the civil liability of innkeepers.
(BDR 54-1018)



SENATE BILL NO. 256—SENATORS FARLEY,
HARDY; HARRIS AND SETTELMEYER

MARCH 12, 2015

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to the civil liability of innkeepers.
(BDR 54-1018)FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to innkeepers; revising provisions relating to the civil liability of innkeepers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law limits the liability of an ~~innkeeper~~ **owner or keeper of any hotel, inn, motel, motor court, boardinghouse or lodging house in this State** for the loss of or damage to certain personal property brought by a patron onto the premises of the innkeeper, including that left in a motor vehicle upon the premises. (NRS 651.010) The Nevada Supreme Court has ruled that the language of the statute does not shield an innkeeper from liability for the loss of or damage to a motor vehicle itself, as separate from the contents, brought by a patron onto the premises of the innkeeper. (*Arguello v. Sunset Station, Inc.*, 127 Nev. Adv. Op. 29, 252 P.3d 206 (2011)) This bill ~~revises existing law to limit~~ **limits** the liability of an innkeeper for the loss of or damage to a motor vehicle brought by a patron onto the premises of the innkeeper ~~, and not just the contents of the motor vehicle.~~

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**Section 1.** ~~NRS 651.010 is hereby amended to read as follows:~~

~~651.010 1. An owner or keeper of any hotel, inn, motel, motor court, boardinghouse or lodging house in this State is not civilly liable for the theft, loss, damage or destruction of any property brought by a patron upon the premises, including, without limitation, a motor vehicle or property left in a motor vehicle upon the premises, because of theft, burglary, fire or otherwise, in the absence of gross neglect by the owner or keeper.~~

~~2. An owner or keeper of any hotel, inn, motel, motor court, boardinghouse or lodging house in this State is not civilly liable for the theft, loss, damage or destruction of any property of a guest left in a guest room if:~~

~~(a) The owner or keeper provides a fireproof safe or vault in which guests may deposit property for safekeeping;~~

~~(b) Notice of this service is personally given to a guest or posted in the office and the guest's room; and~~

~~(c) The property is not offered for deposit in the safe or vault by a guest, unless the owner or keeper is grossly negligent.~~

~~2. An owner or keeper is not obligated to receive property to deposit for safekeeping which exceeds \$750 in value or is of a size which cannot easily fit within the safe or vault.~~

~~4. The liability of the owner or keeper does not exceed the sum of \$750 for any property, including, but not limited to, property which is not deposited in a safe or vault because it cannot easily fit within the safe or vault, of an individual patron or guest, unless the owner or keeper receives the property for deposit for safekeeping and consents to assume a liability greater than \$750 for its theft, loss, damage or destruction in a written agreement in which the patron or guest specifies the value of the property. (Deleted by amendment.)~~

Sec. 2. Chapter 651 of NRS is hereby amended by adding thereto a new section to read as follows:

An owner or keeper of any hotel, inn, motel, motor court, boardinghouse or lodging house in this State is not civilly liable for the theft, loss, damage or destruction of a motor vehicle brought by a patron upon the premises or left upon the premises, because of theft, burglary, fire or otherwise, in the absence of gross neglect by the owner or keeper.

Sec. 3. NRS 651.005 is hereby amended to read as follows:

651.005 As used in NRS 651.005 to 651.040, inclusive, and section 1 of this act, "premises" includes, but is not limited to, all buildings, improvements, equipment and facilities, including any parking lot, recreational facility or other land, used or maintained in connection with a hotel, inn, motel, motor court, boardinghouse or lodging house.

~~Sec. 2~~ **Sec. 4.** This act becomes effective on July 1, 2015.