

HOUSE BILL No. 5504

January 27, 1998, Introduced by Rep. Gustafson and referred to the Committee on Judiciary.

A bill to amend 1905 PA 42, entitled

"An act to define the duties and liabilities of hotel keepers and innkeepers with relation to the personal property of their guests, and to provide for the protection of inn and hotel keepers, and to repeal Act No. 227 of the Public Acts of 1897, and Act No. 15 of the Public Acts of 1875,"

by amending section 1 (MCL 427.101), as amended by 1987 PA 115.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) ~~The liability of the keeper of any inn,~~
2 ~~whether individual, partnership, or corporation, for loss of or~~
3 ~~injury to personal property of the innkeeper's guest, shall be~~
4 ~~that of a depository for hire, except that in no case shall such~~
5 ~~liability exceed the sum of \$250.00; and in case of the loss of a~~
6 ~~trunk or chest, and its contents, it shall not exceed the sum of~~
7 ~~\$150.00; in case of the loss of a traveling bag or dress~~
8 ~~suitcase, and contents, it shall not exceed the sum of \$50.00;~~
9 ~~and in case of the loss of a box, bundle, or package, and~~

~~1 contents, it shall not exceed the sum of \$10.00. Nothing in this~~
~~2 act shall prohibit an innkeeper from assuming a greater liability~~
~~3 than the sum of \$250.00 for the personal effects of the~~
~~4 innkeeper's guest if the undertaking and agreement is in writing,~~
~~5 stating the kind of personal property received and the value~~
~~6 thereof, the kind and extent of the liability of the innkeeper,~~
~~7 and is signed by the guests and the innkeeper or the innkeeper's~~
~~8 clerk. Nothing in this section shall preclude any remedy now~~
~~9 existing for the enforcement of the hotel keeper's or innkeeper's~~
10 ~~lien.~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON WHO
11 IS AN INNKEEPER IS LIABLE FOR LOSS OF OR INJURY TO PERSONAL PROP-
12 ERTY OF THE INNKEEPER'S GUEST IN THE SAME MANNER AS THAT OF A
13 DEPOSITORY FOR HIRE. HOWEVER, IN NO CASE SHALL AN INNKEEPER'S
14 LIABILITY UNDER THIS SECTION EXCEED \$1,000.00 AND, IN EACH OF THE
15 FOLLOWING CASES, THAT LIABILITY SHALL NOT EXCEED THE AMOUNT
16 LISTED:

17 (A) LOSS OF LUGGAGE BIGGER THAN A TRAVELING OR DAY BAG, AND
18 ITS CONTENTS, \$500.00.

19 (B) LOSS OF A TRAVELING, DAY, OR GARMENT BAG, AND ITS CON-
20 TENTS, \$250.00.

21 (C) LOSS OF A BOX OR PACKAGE, AND ITS CONTENTS, \$50.00.

22 (2) THIS ACT DOES NOT PROHIBIT AN INNKEEPER FROM ASSUMING
23 MORE THAN \$1,000.00 IN LIABILITY FOR A GUEST'S PERSONAL PROPERTY,
24 BUT AN AGREEMENT TO INCREASE LIABILITY MUST BE IN WRITING AND
25 MUST COMPLY WITH ALL OF THE FOLLOWING:

26 (A) CONTAIN A STATEMENT OF THE KIND OF PERSONAL PROPERTY
27 RECEIVED AND ITS VALUE.

1 (B) CONTAIN A STATEMENT AS TO THE KIND AND EXTENT OF THE
2 INNKEEPER'S LIABILITY.

3 (C) BE SIGNED BY THE GUEST AND THE INNKEEPER OR THE
4 INNKEEPER'S AGENT.

5 (3) THIS SECTION DOES NOT PRECLUDE A REMEDY UNDER THIS ACT
6 OR OTHER LAW FOR ENFORCEMENT OF A HOTEL KEEPER'S OR INNKEEPER'S
7 LIEN.

8 (4) ~~-(2)-~~ For the purposes of this act, "hotel" or "inn"
9 includes a bed and breakfast as defined in section 12901 of the
10 public health code, ~~Act No. 368 of the Public Acts of 1978,~~
11 ~~being section 333.12901 of the Michigan Compiled Laws~~ 1978
12 PA 368, MCL 333.12901.