

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 SENATE BILL NO. 32

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the liability and liens of hotel
7 and boardinghouse operators."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.56.050(b) is amended to read:

10 (b) No operator of a hotel or boardinghouse is obligated to
11 receive property on deposit for safekeeping as provided in (a) of this
12 section which exceeds \$1,000 in value. If property exceeding \$1,000
13 in value is deposited in the hotel or boardinghouse safe or vault,
14 the operator is not liable for its loss, damage or destruction unless
15 he enters into a written agreement with the guest who deposits the
16 property. If the operator does contract with a guest for the safe-
17 keeping of property exceeding \$1,000 in value, the operator is liable
18 only if the property deposited is stolen or lost, damaged or destroyed
19 by the negligence or wilful misconduct of the operator or his agent.

20 * Sec. 2. AS 08.56.060(a) is amended to read:

21 (a) Except as provided in sec. 50 of this chapter, the operator
22 of a hotel or boardinghouse is not liable for the theft, loss, damage
23 or destruction of property brought to or sent into the hotel or
24 boardinghouse by a guest unless the theft, loss, damage or destruction
25 was caused by negligence or wilful misconduct of the operator or his
26 agent.

27 * Sec. 3. AS 34.35.520(a) is amended to read:

28 (a) If a lien, as provided for in sec. 510 of this chapter is
29 not satisfied within 60 days after the charges become due, the hotel

1 or boardinghouse operator may proceed to sell the baggage or other
2 property in his possession at public auction. Twenty [TEN] days
3 before the sale the hotel or boardinghouse operator shall give notice
4 of the time and place of sale by publishing notice in a newspaper of
5 general circulation in the city or borough in which the hotel or
6 boardinghouse is located, by posting notice in three public places in
7 the [TOWN OR] city or borough where the hotel or boardinghouse is
8 located and by mailing notice of the time and place to the owner of
9 the baggage or other property at the place of residence as set out in
10 the hotel or boardinghouse register. If the guest failed to register,
11 and if his address is not known by the operator, service of notice
12 by mail is not required [OR TO GIVE SUFFICIENT ADDRESS, THE REQUIRED
13 NOTICE SHALL BE MAILED TO THE GUEST AT THE CITY OR TOWN WHERE THE
14 HOTEL OR BOARDINGHOUSE IS LOCATED]. The notice shall contain a
15 description of the property to be sold. When the notice requirements
16 of this section have been complied with, the sale of the baggage or
17 other property is a perpetual bar to an action against the hotel or
18 boardinghouse operator for recovery of baggage, property or their
19 value.