

OCCUPATIONS CODE

TITLE 13. SPORTS, AMUSEMENTS, AND ENTERTAINMENT

SUBTITLE D. OTHER AMUSEMENTS AND ENTERTAINMENT

CHAPTER 2155. HOTELS AND BOARDINGHOUSES

SUBCHAPTER A. NOTIFICATION OF LODGING RATES

Sec. 2155.001. ROOM RATE INFORMATION. (a) A hotel owner or keeper shall post a card or sign in a conspicuous place in each hotel room stating:

- (1) the daily room rate; and
- (2) the date the card or sign was posted.

(b) An increase in the daily room rate is not effective until the 30th day after the date a card or sign with the increased rate is posted.

(c) The owner or keeper of a hotel having 20 or more rooms shall give a guest assigned a room a ticket showing the daily room rate being charged for the room. The room rate on the ticket must conform with the rate posted under Subsection (a).

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 2155.002. CRIMINAL PENALTIES. (a) A hotel owner or keeper commits an offense if the person does not post a room rate as required by Section [2155.001\(a\)](#).

(b) A hotel owner, keeper, or employee commits an offense if the person does not give a guest a ticket as required by Section [2155.001\(c\)](#).

(c) A hotel owner, keeper, or employee commits an offense if the person knowingly charges a guest a room rate for a room that is more than the posted rate for that room. Each day an excessive rate is charged is a separate offense.

(d) An offense under Subsection (a) or (c) is a misdemeanor punishable by:

- (1) a fine of not less than \$25 or more than \$100;
- (2) confinement in jail for a term not to exceed 30 days; or
- (3) both a fine and confinement.

(e) An offense under Subsection (b) is a misdemeanor punishable by a fine of not more than \$100.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

SUBCHAPTER B. LIABILITY FOR PERSONAL PROPERTY ON PREMISES

Sec. 2155.051. DEFINITION. In this subchapter, "hotel" means a business, including an inn or rooming house, that furnishes food, lodging, or both food and lodging to a person applying and paying for the service.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 2155.052. LIABILITY FOR VALUABLES. (a) This section applies only to a hotel, apartment hotel, or boardinghouse keeper who:

(1) continuously maintains a metal safe or vault in the keeper's hotel, apartment hotel, or boardinghouse that is in good order and fit for the custody of money, jewelry, silver or gold articles, precious stones, personal ornaments, or documents; and

(2) keeps suitable locks or bolts on the guests' sleeping room doors and proper fastenings on the transom and window of guest rooms.

(b) A hotel, apartment hotel, or boardinghouse keeper is not liable for a loss or injury suffered by a guest from the loss of valuables in an amount of more than \$50 if:

(1) the valuables could reasonably have been kept in the safe or vault of the hotel, apartment hotel, or boardinghouse;

(2) the loss or injury does not occur through the negligence or wrongdoing of the keeper or an employee of the hotel, apartment hotel, or boardinghouse; and

(3) a printed copy of this section is posted on the door of the guest's sleeping room.

(c) Subsection (b) does not apply if:

(1) the guest offered to deliver the valuables to the hotel, apartment hotel, or boardinghouse keeper for custody in the safe or vault; and

(2) the hotel, apartment hotel, boarding hotel, or

boardinghouse keeper did not:

- (A) deposit the valuables in the safe or vault;
- and
- (B) issue a receipt for the valuables.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 2155.053. GRATUITOUS BAILEE. (a) A hotel, apartment hotel, or boardinghouse keeper may hold a person's property, including baggage, at the keeper's option and at the property owner's risk if the property owner:

(1) forwards the property to the hotel, apartment hotel, or boardinghouse before becoming a guest;

(2) leaves the property in the hotel, apartment hotel, or boardinghouse lobby before checking the property or becoming a guest; or

(3) allows the property to remain in the hotel, apartment hotel, or boardinghouse after the innkeeper and guest relationship has ceased and without checking the property.

(b) If a person checks property at a hotel, apartment hotel, or boardinghouse and leaves the property at the hotel, apartment hotel, or boardinghouse free of charge for one week without being a guest, the hotel, apartment hotel, or boardinghouse keeper may, absent a special agreement, continue to hold the property after the first week at the property owner's risk.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

SUBCHAPTER C. FIREARMS POLICY

Sec. 2155.101. DEFINITION. In this subchapter, "hotel" means a hotel, motel, inn, or similar business entity that offers more than 10 rooms to the public for temporary lodging for a fee.

Added by Acts 2013, 83rd Leg., R.S., Ch. 237 (H.B. 333), Sec. 1, eff. September 1, 2013.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 1008 (S.B. 20), Sec. 2, eff. September 1, 2021.

Sec. 2155.102. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a hotel that has a policy prohibiting or restricting the possession, storage, or transportation of firearms by hotel guests.

Added by Acts 2013, 83rd Leg., R.S., Ch. 237 (H.B. 333), Sec. 1, eff. September 1, 2013.

Sec. 2155.1025. FIREARMS POLICY. (a) Unless possession of a handgun or other firearm or ammunition on hotel property is prohibited by state or federal law, a hotel may not adopt a policy prohibiting a hotel guest from:

(1) carrying or storing a firearm or firearm ammunition in the guest's hotel room;

(2) carrying a firearm or firearm ammunition directly en route to or from the hotel or the guest's hotel room;

(3) carrying a firearm or firearm ammunition directly en route to or from the guest's vehicle located on the hotel property, including a vehicle in a parking area provided for hotel guests; or

(4) carrying or storing a firearm or firearm ammunition in the guest's vehicle located on the hotel property, including a vehicle in a parking area provided for hotel guests.

(b) A hotel may adopt a policy requiring a hotel guest carrying a firearm or firearm ammunition in a common area on the hotel property to:

(1) carry a handgun in a concealed manner; or

(2) carry a firearm or ammunition in a case or bag.

Added by Acts 2021, 87th Leg., R.S., Ch. 1008 (S.B. 20), Sec. 3, eff. September 1, 2021.

Sec. 2155.103. NOTICE REGARDING FIREARMS POLICY. (a) A hotel shall include on the hotel's Internet reservation website the hotel's policy regarding the possession, storage, and transportation of firearms.

(b) If a hotel provides a written confirmation or a written statement of terms and conditions to a consumer after accepting the consumer's hotel reservation by telephone, the hotel shall include

information specifying how the consumer may review applicable guest policies. The guest policies must indicate the hotel's policy regarding the possession, storage, and transportation of firearms by guests.

(c) A hotel owner or keeper commits an offense if the person does not comply with this section. An offense under this subsection is a misdemeanor punishable by a fine of not more than \$100.

Added by Acts 2013, 83rd Leg., R.S., Ch. 237 (H.B. [333](#)), Sec. 1, eff. September 1, 2013.