

8.08 Fraud on Hotel or Restaurant Keeper

- (1) Any person who does either of the following is subject to penalties in Subsection (4).
 - (a) Having obtained any food, lodging, or other service or accommodation at any hotel, motel, boarding or lodging house, or restaurant intentionally absconds without paying for it.
 - (b) While a guest at any hotel, campground, motel, boarding or lodging house, or restaurant intentionally defrauds the keeper thereof in any transaction arising out of such relationship as guest.
- (2) Under this section, prima facie evidence of an intent to defraud is shown by:
 - (a) The refusal of payment upon presentation when due and the return unpaid of any bank check or order for the payment of money given by any guest to any hotel, campground, motel, boarding or lodging house, or restaurant, in payment of any obligation arising out of such relationship as guest. Such facts shall also be deemed prima facie evidence of an intent to abscond without payment.
 - (b) The failure or refusal of any guest at a hotel, campground, motel, boarding or lodging house, or restaurant to pay, upon written demand, the established charges for food, lodging, or other service or accommodation actually rendered.
 - (c) The giving of false information on a lodging registration form or the presenting of false or fictitious credentials for the purpose of obtaining lodging or credit.
 - (d) The drawing, endorsing, issuing, or delivering to any hotel, campground, motel, boarding or lodging house, or restaurant of any check, draft, or order for payment of money upon any bank or other depository, in payment of established charges for food, lodging, or other service or accommodation knowing at the time that there is not sufficient credit with the drawee bank or other depository for payment in full of the instrument drawn.
- (3) This section does not apply to a postdated check or to a check given for a past consideration, except a payroll check.
- (4) **PENALTIES.** Any person who violates this section shall forfeit not more than \$300.00, together with the costs of prosecution and may be ordered to pay restitution and complete community service.