

26 Section 1. Section 10-8-85.4 is enacted to read:

27 **10-8-85.4. Ordinances regarding short-term rentals -- Prohibition on ordinances**
28 **restricting speech on short-term rental websites.**

29 (1) As used in this section:

30 (a) "Residential unit" means a residential structure or any portion of a residential
31 structure that is occupied as a residence.

32 (b) "Short-term rental" means a residential unit or any portion of a residential unit that
33 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30
34 consecutive days.

35 (c) "Short-term rental website" means a website that:

36 (i) allows a person to offer a short-term rental to one or more prospective renters; and

37 (ii) facilitates the renting of, and payment for, a short-term rental.

38 (2) Notwithstanding Section 10-9a-501 or Subsection 10-9a-503(1), a legislative body
39 may not:

40 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a
41 short-term rental on a short-term rental website; or

42 (b) ~~H→~~ [using] use ←H an ordinance that prohibits the act of renting a short-term rental
42a ~~H→~~ [;] to ←H fine, charge,

43 prosecute, or otherwise punish an individual solely for the act of listing ~~S→~~ ~~S→~~ [f] ←S or ~~S→~~ [f;]
43a1 ~~←S~~ ~~←S~~ offering

43a ~~S→~~ ~~S→~~ [; or agreeing to rent] ←S ←S a short-term
44 rental on a short-term rental website.

45 Section 2. Section 17-50-338 is enacted to read:

46 **17-50-338. Ordinances regarding short-term rentals -- Prohibition on ordinances**
47 **restricting speech on short-term rental websites.**

48 (1) As used in this section:

49 (a) "Residential unit" means a residential structure or any portion of a residential
50 structure that is occupied as a residence.

51 (b) "Short-term rental" means a residential unit or any portion of a residential unit that
52 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30
53 consecutive days.

54 (c) "Short-term rental website" means a website that:

55 (i) allows a person to offer a short-term rental to one or more prospective renters; and

56 (ii) facilitates the renting of, and payment for, a short-term rental.

57 (2) Notwithstanding Section 17-27a-501 or Subsection 17-27a-503(1), a legislative
58 body may not:

59 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a
60 short-term rental on a short-term rental website; or

61 (b) ~~H~~ ~~→~~ ~~[using]~~ ~~use~~ ~~←~~ ~~H~~ an ordinance that prohibits the act of renting a short-term rental
61a ~~H~~ ~~→~~ ~~[;]~~ to ~~←~~ ~~H~~ fine, charge,

62 prosecute, or otherwise punish an individual solely for the act of listing ~~S~~ ~~→~~ ~~S~~ ~~→~~ ~~[f]~~ ~~←~~ ~~S~~ or ~~S~~ ~~→~~ ~~[t;]~~

62a1 ~~←~~ ~~S~~ ~~←~~ ~~S~~ offering

62a ~~S~~ ~~→~~ ~~S~~ ~~→~~ ~~[;or agreeing to rent]~~ ~~←~~ ~~S~~ ~~←~~ ~~S~~ a short-term

63 rental on a short-term rental website.