

Representative John Knotwell proposes the following substitute bill:

SHORT-TERM RENTAL AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: J. Stuart Adams

LONG TITLE

General Description:

This bill prevents a political subdivision from prohibiting the use of a short-term rental website.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prevents a political subdivision from prohibiting an individual from listing or offering a short-term rental on a short-term rental website.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-8-85.4, Utah Code Annotated 1953

17-50-338, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



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) enact or enforce an ordinance that prohibits the act of renting a short-term rental
42a on a short-term rental website; or
43 prosecute, or otherwise punish an individual solely for the act of listing or offering
43a1 a short-term rental on a short-term rental website.

44 enact or enforce an ordinance that prohibits the act of listing or offering
44 a short-term 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→~~ ~~[H]~~ ~~←S~~ or ~~S→~~ ~~[H-]~~
62a1 ~~←S~~ ~~←S~~ offering

62a ~~S→~~ ~~S→~~ ~~[,or agreeing to rent]~~ ~~←S~~ ~~←S~~ a short-term
63 rental on a short-term rental website.