

HCS HB 608 -- RESIDENTIAL DWELLING RENTALS (Anderson)

COMMITTEE OF ORIGIN: Standing Committee on General Laws

This bill prohibits political subdivisions from imposing a fee or enacting or enforcing an ordinance that prohibits residential dwelling rentals. The bill specifies that political subdivisions can enact and enforce an ordinance that, in order to protect the public's health and safety, imposes a reasonable regulation on residential dwelling rentals. The bill lists out examples of such permitted ordinances. Definitions for "residential dwelling" and "residential dwelling rental" are provided in the bill.

Guests of residential dwelling rentals must pay all applicable taxes imposed by the state or a local taxing entity. An owner, or a facilitation platform if one is used, must collect and remit any taxes a transient guest is required to pay. Intermediaries that facilitate rentals of residential dwellings that do not meet the definition of a facilitation platform must retain records of rentals and notify transient guests that they are obligated to pay certain taxes. Some of the provisions of this bill relating to taxes and the requirements of facilitation platforms and marketing platforms will not go into effect until January 1, 2018.

This bill prohibits a political subdivision from requiring a seller or transferor of private residential property to obtain an inspection of the residence in order to sell or transfer the property.

This bill states that no owner shall be required to obtain a business or occupational license by any political subdivision of the state of the sole reason that the owner offers to rent or lease, or in fact rents or leases, real property to a permanent guest or rents to transient guests for no more than 182 days in a calendar year.

This bill prohibits a city or county from adopting or enforcing a residential property licensing ordinance that includes a requirement for periodic interior inspections of privately-owned residential property for city or county code violations. An occupant of privately-owned residential housing may request a city or county inspection at any time to determine code violations.

This bill is similar to SB 1117 (2016).