

Proposed Strike-All Amendment

S.204, an act relating to the registration of short-term rentals

Sec. 1. 32 V.S.A. § 9271 is amended to read:

§ 9271. LICENSES REQUIRED

(a) Each operator prior to commencing business shall register with the Commissioner each place of business within the State where he or she operates a hotel or sells taxable meals or alcoholic beverages; provided however, that an operator who sells taxable meals through a vending machine shall not be required to hold a license for each individual machine. Upon receipt of an application in such form and containing such information as the Commissioner may require for the proper administration of this chapter, the Commissioner shall issue without charge a license for each such place in such form as he or she may determine, attesting that such registration has been made. No person shall engage in serving taxable meals or alcoholic beverages or renting hotel rooms without the license provided in this section. The license shall be nonassignable and nontransferable and shall be surrendered to the Commissioner if the business is sold or transferred or if the registrant ceases to do business at the place named.

(b) In the case of short-term rentals as defined in 18 V.S.A. § 4301, the applicant for a license under this section shall certify to the Commissioner on the application that the rental is in compliance with the following provisions:

(1) The short-term rental does not have any known violations of relevant State and local fire, life safety, and zoning laws and rules, and has all smoke and carbon monoxide detectors as required by 9 V.S.A. chapter 77.

(2) Each guest room is free of any evidence of insects, rodents, and other pests.

(3) If the short-term rental utilizes water from a nonpublic water supply system, the rental does not have any known violations of Vermont's water supply rules, and the water is free from impurities in amounts sufficient to cause disease or harmful physiological effects as per Vermont Department of Health testing guidelines for private water supplies.

(4) All sewage is disposed of through an approved facility, including either:

(A) a public sewage treatment plant; or

(B) an individual sewage disposal system that does not have any known violations of the Department of Environmental Conservation's rules and other applicable sanitation requirements.

(5) All advertisements for the short-term rental, including advertisements on Internet-based platforms, display the number of the license required under this section, the location of the rental, and the contact information for the Attorney General's Consumer Assistance Program.

(6) The short-term rental posts the phone number of an individual responsible for the rental and the contact information for the Attorney General's Consumer Assistance Program in a prominent place in the rental that is easily visible to customers.

(c) Each short-term rental operator shall display the number of the license required under this section and the contact information for the Attorney General's Consumer Assistance Program in all advertisements for the short-term rental, including advertisements on Internet-based platforms.

(d) Irrespective of an agreement entered into by an Internet-based short-term rental platform to collect and remit Vermont meals and rooms tax on behalf of a short-term rental operator in this State, a short-term rental operator shall apply to obtain a unique meals and rooms tax license

number for each short-term rental location that the operator operates, and shall certify to the Commissioner that each short-term rental location is in compliance with the provisions provided under subsection (b) of this section.

Sec. 2. 32 V.S.A. § 3102(e) is amended to read:

(e) The Commissioner may, in his or her discretion and subject to such conditions and requirements as he or she may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

(20) To the Commissioner of Health and the Commissioner of Public Safety, provided that the information is limited to whether a person is registered to collect Vermont meals and rooms tax as an operator of a short-term rental as defined in 18 V.S.A. § 4301, including whether the short-term rental operator has completed the self-certification required under 32 V.S.A. § 9271(b); whether the short-term rental operator is in good standing with respect to payment of the meals and rooms tax; the meals and rooms tax license number; the location of the short-term rental; and the contact information for the operator of the short-term rental.

Sec. 3. EFFECTIVE DATE

(a) This Sec. 3 and Sec. 1, 32 V.S.A. § 9271(c) (short-term rental license number posting) shall take effect on July 1, 2018.

(b) Except for Sec. 1, 32 V.S.A. § 9271(c), Secs. 1 and 2 (short-term rental license certification) shall take effect on July 1, 2019.