

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Ways and Means to which was referred Senate Bill No.
3 204 entitled “An act relating to the registration of short-term rentals”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended as recommended by the
6 Committee on General, Housing, and Military Affairs and as further amended
7 by striking out all after the enacting clause and inserting in lieu thereof the
8 following:

9 Sec. 1. 18 V.S.A. § 4301 is amended to read:

10 § 4301. DEFINITIONS

11 (a) As used in this ~~subchapter~~ chapter:

12 * * *

13 (14) “Short-term rental” means a furnished ~~home~~ house, condominium,
14 or other dwelling room or self-contained dwelling unit rented to the transient,
15 traveling, or vacationing public for a period of fewer than 30 consecutive days
16 and for more than 14 days per calendar year.

17 * * *

18 Sec. 2. 32 V.S.A. chapter 225 is amended to read:

19 CHAPTER 225. MEALS AND ROOMS TAX

20 * * *

1 § 9202. DEFINITIONS

2 The following words, terms, and phrases when used in this chapter shall
3 have the meanings ascribed to them in this section unless the context clearly
4 indicates a different meaning:

5 * * *

6 (3) “Hotel” means an establishment ~~which~~ that holds itself out to the
7 public by offering sleeping accommodations for a consideration, whether or
8 not the major portion of its operating receipts is derived therefrom and whether
9 or not the sleeping accommodations are offered to the public by the owner or
10 proprietor or lessee, sublessee, mortgagee, licensee, or any other person or the
11 agent of any of the foregoing. The term includes inns, motels, tourist homes
12 and cabins, ski dormitories, ski lodges, lodging homes, rooming houses,
13 furnished-room houses, boarding houses, and private clubs, as well as any
14 building or structure or part thereof to the extent to which any such building or
15 structure or part thereof in fact is held out to the public by offering sleeping
16 accommodations for a consideration. As used in this chapter, the term includes
17 “short-term rental” as defined in 18 V.S.A. § 4301. The term shall not include
18 the following:

19 (A) a hospital, licensed under 18 V.S.A. chapter 43 or a nursing
20 home, residential care home, assisted living residence, home for the terminally

1 ill, therapeutic community residence as defined pursuant to 33 V.S.A.

2 chapter 71, or independent living facility;

3 (B) any establishment operated by any state or U.S. agency or
4 institution, except the Department of Forests, Parks and Recreation of the State
5 of Vermont;

6 (C) an establishment operated by a nonprofit corporation or
7 association organized and operated exclusively for religious, charitable, or
8 educational purposes, one or more, which, in furtherance of any of the
9 purposes for which it was organized, operates a hotel as defined herein; ~~and~~

10 (D) a continuing care retirement community certified under 8 V.S.A.
11 chapter 151.

12 * * *

13 § 9271. LICENSES REQUIRED

14 (a) Each operator prior to commencing business shall register with the
15 Commissioner each place of business within the State where he or she operates
16 a hotel or sells taxable meals or alcoholic beverages; provided, however, that
17 an operator who sells taxable meals through a vending machine shall not be
18 required to hold a license for each individual machine. Upon receipt of an
19 application in such form and containing such information as the Commissioner
20 may require for the proper administration of this chapter, the Commissioner
21 shall issue without charge a license for each ~~such~~ place in such form as he or

1 she may determine, attesting that ~~such~~ the registration has been made. No
2 person shall engage in serving taxable meals or alcoholic beverages or renting
3 hotel rooms without the license provided in this section. The license shall be
4 nonassignable and nontransferable and shall be surrendered to the
5 Commissioner if the business is sold or transferred or if the registrant ceases to
6 do business at the place named.

7 (b)(1) A short-term rental operator shall post the corresponding meals and
8 rooms tax account number on any advertisement for the short-term rental.

9 (2) A short-term rental operator shall post within the unit a telephone
10 number for the person responsible for the unit and the contact information for
11 the Attorney General’s Consumer Assistance Program and the Department of
12 Public Safety’s Division of Fire Safety.

13 Sec. 3. DATA COLLECTION; REPORTS

14 (a)(1) The Attorney General’s Consumer Assistance Program and the
15 Department of Public Safety’s Division of Fire Safety shall maintain records
16 on all complaints received between July 1, 2018 and January 1, 2020
17 pertaining to a short-term rental located in Vermont or the licensure process
18 established pursuant to 32 V.S.A. chapter 225. This information shall be
19 available to the Department of Health for the purpose of completing the reports
20 required pursuant to subdivision (2) of this subsection.

1 (2) On or before January 15, 2020, the Commissioner of Health, in
2 collaboration with the Executive Director of the Department of Public Safety's
3 Division of Fire Safety, shall submit a written report to the House Committees
4 on General, Housing, and Military Affairs and on Human Services and to the
5 Senate Committees on Economic Development, Housing and General Affairs
6 and on Health and Welfare addressing whether any complaints have been
7 received about short-term rentals or the licensure process established pursuant
8 to 32 V.S.A. chapter 225, and if so, the nature of the complaints, the name of
9 the entity receiving the complaints, and the process by which the complaints
10 are addressed.

11 (b) On or before January 15, 2020, the Commissioner of Taxes shall
12 present to the House Committee on Ways and Means and to the Senate
13 Committee on Finance information addressing the number of licensed short-
14 term rental units in Vermont, the number of short-term rental operators, and
15 the Department's progress to date in improving compliance with 32 V.S.A.
16 chapter 225 among short-term rental operators.

17 Sec. 4. EFFECTIVE DATE

18 This act shall take effect on July 1, 2018.

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1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE