

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill  
3 No. 113 entitled “An act relating to food and lodging establishments”  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended as follows:

6 First: In Sec. 1, 18 V.S.A. § 4301, subdivision (14), by striking out the  
7 word “stay” and inserting in lieu thereof the word period

8 Second: In Sec. 1, by striking out 18 V.S.A. chapter 85, subchapter 7 in its  
9 entirety and inserting in lieu thereof a new subchapter 7 to read as follows:

10 Subchapter 7. Short-Term Rentals

11 § 4466. REGISTRATION OF SHORT-TERM RENTALS

12 (a) A person shall not operate or maintain a short-term rental unless he or  
13 she registers with the Department and obtains and holds a valid certificate of  
14 compliance.

15 (b) Prior to offering for rent a short-term rental, a person shall register with  
16 the Commissioner by completing forms published by the Department and  
17 paying a registration fee as provided in 4468 of this title.

18 (c) A person registering shall certify on the registration forms published by  
19 the Department that the short-term rental is in compliance with the following  
20 provisions:

1           (1) All available units shall comply with any relevant State and local fire  
2           and life safety laws and regulations.

3           (2) Each guest room shall be free of any evidence of insects, rodents,  
4           and other pests.

5           (3) All water from a nonpublic water supply system shall meet  
6           Vermont’s water supply rules.

7           (4) All sewage shall be disposed of through an approved facility,  
8           including either:

9                   (A) a public sewage treatment plant; or

10                   (B) an individual sewage disposal system that is constructed,  
11           maintained, and operated according to the Department of Environmental  
12           Conservation’s regulations, and otherwise meets all applicable sanitation  
13           requirements.

14           (d)(1) A registration application shall be submitted no fewer than 14  
15           calendar days prior to opening a short-term rental.

16           (2) The Department shall award an initial certificate of compliance  
17           upon receipt of the applicant’s completed registration application and  
18           registration fee. The certification of compliance shall state that the holder has  
19           self-certified compliance with health and safety laws and regulations and that  
20           the Department has not licensed or inspected the property.

1       (e) All certificates of compliance shall be displayed in a manner so as to be  
2       easily viewed by the public.

3       (f) Any perspective certificate holder aggrieved by a decision of the  
4       Department may appeal to the Board of Health pursuant to subsection 4351(e)  
5       of this title.

6       § 4467. TERM; CERTIFICATE OF COMPLIANCE

7       A certificate of compliance shall expire annually after its date of issuance  
8       and may be renewed upon the payment of a new registration fee if the  
9       certificate holder is in good standing with the Department.

10      § 4468. FEES; REGISTRATION

11      The following fee shall be paid to the Department at the time of registration  
12      or registration renewal:

13             Short-term rental — \$130.00.

14      § 4469. ENFORCEMENT

15      (a) If a person is found to be in violation of this subchapter, the  
16      Commissioner shall issue a written notice and an order requiring both  
17      abatement of the violation and compliance with this subchapter within a  
18      reasonable period of time.

19      (b) A person upon whom the notice and order are served shall have an  
20      opportunity for a hearing at which he or she may show cause for vacating or  
21      amending the order. If it appears that the provisions of this chapter have not

1 been violated, the Commissioner shall immediately vacate the order without  
2 prejudice. Conversely, if it appears that the provisions of this chapter have  
3 been violated and the person fails to comply with the order issued by the  
4 Commissioner, the Commissioner shall revoke, modify, or suspend the  
5 person's certificate of compliance or enforce a civil penalty pursuant to section  
6 4309 of this title, or both.

7 Third: By inserting a new Sec. 2, after Sec. 1 to read as follows:

8 Sec. 2. SHORT-TERM RENTAL WORKING GROUP; REPORT

9 (a) Creation. There is created the Short-Term Rental Working Group  
10 within the Department of Health for the purpose of developing a proposal for  
11 the regulation of short-term rentals in Vermont that:

12 (1) levels the playing field between short-term rentals and other lodging  
13 establishments; and

14 (2) protects the health and safety of the transient, traveling, or  
15 vacationing public.

16 (b)(1) Membership. The Working Group shall be composed of the  
17 following members:

18 (A) the Commissioner of Health or designee;

19 (B) the Commissioner of Taxes or designee; and

20 (C) the Executive Director of the Department of Public Safety's Fire  
21 Safety Division or designee.

1           (2) The Secretary shall invite at least the following representatives to  
2 participate in the Working Group:

3           (A) a representative of the Vermont Chamber of Commerce;

4           (B) a representative of Vermont’s short-term rental industry; and

5           (C) a representative of the Vermont Lodging Association.

6           (c) Assistance. The Working Group shall have the administrative,  
7 technical, and legal assistance of Department of Health.

8           (d) Report. On or before October 1, 2017, the Working Group shall submit  
9 a written report to the House Committee on Human Services and the Senate  
10 Committee on Health and Welfare with its findings and any recommendations  
11 for legislative action.

12           (e) Meetings.

13           (1) The Commissioner of Health or designee shall call the first meeting  
14 of the Working Group to occur on or before August 1, 2017

15           (2) The Commissioner of Health or designee shall be the Chair.

16           (3) A majority of the membership shall constitute a quorum.

17           (4) The Working Group shall cease to exist on October 31, 2017.

18           (f) Definitions. As used in this section:

19           (1) “Lodging establishment” means the same as in 18 V.S.A. § 4301(9).

20           (2) “Short-term rental” means the same as in 18 V.S.A. § 4301(14).

21 and by renumbering the current Sec. 2 to be Sec. 3

1        Fourth: By striking out the newly renumbered Sec. 3, effective date, in its  
2        entirety and inserting in lieu thereof the following:

3        Sec. 3. EFFECTIVE DATES

4        This act shall take effect on July 1, 2017, except 18 V.S.A. chapter 85,  
5        subchapter 7 (short-term rentals) shall take effect on January 1, 2019.

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8        (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE