

House Proposal of Amendment

S. 204

An act relating to the registration of short-term rentals.

The House proposes to the Senate to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

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

§ 4301. DEFINITIONS

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

* * *

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

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

CHAPTER 225. MEALS AND ROOMS TAX

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§ 9202. DEFINITIONS

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

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

(A) a hospital, licensed under 18 V.S.A. chapter 43 or a nursing

home, residential care home, assisted living residence, home for the terminally ill, therapeutic community residence as defined pursuant to 33 V.S.A. chapter 71, or independent living facility;

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

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

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

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§ 9282. OBLIGATIONS OF SHORT-TERM RENTAL OPERATORS

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

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

(c) The Department of Taxes shall prepare a packet of information pertaining to the financial and regulatory obligations of short-term rental operators. The Department shall disseminate the information packet to a short-term rental operator when the operator first registers a unit.

Sec. 3. DATA COLLECTION; REPORTS

(a)(1) The Attorney General's Consumer Assistance Program and the Department of Public Safety's Division of Fire Safety shall maintain records on all complaints received between July 1, 2018 and January 1, 2020 pertaining to a short-term rental located in Vermont. This information shall be available to the Department of Health for the purpose of completing the report required pursuant to subdivision (2) of this subsection.

(2) On or before January 15, 2020, the Commissioner of Health, in collaboration with the Executive Director of the Department of Public Safety's Division of Fire Safety, shall submit a written report to the House Committees on General, Housing, and Military Affairs and on Human Services and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare addressing whether any complaints have been received about short-term rentals, and if so, the nature of the complaints, the name of the entity receiving the complaints, and the process by which the

complaints are addressed.

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

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2018.