

S.B. NO. 960

1 **§ -2 Powers and duties of the director.** In addition to
2 any other powers and duties authorized by law, the director
3 shall:

4 (1) Grant certificates of registration to legal transient
5 vacation rental owners pursuant to this chapter;

6 (2) Adopt, amend, or repeal rules pursuant to chapter 91
7 as the director may deem proper to fully effectuate
8 this chapter;

9 (3) Enforce this chapter and the rules adopted pursuant
10 thereto;

11 (4) Fine, suspend, terminate, or revoke any registration
12 for any cause prescribed by this chapter, or for any
13 violation of the rules, and refuse to grant any
14 registration for any cause that would be grounds for
15 revocation, termination, or suspension of a
16 registration; and

17 (5) Investigate the actions of any person or agency acting
18 or alleged to be acting in the capacity of a
19 registrant under this chapter.

20 **§ -3 Registration required.** (a) No transient vacation
21 rental shall operate or do business in this State without first



1 registering with the director under this chapter and fulfilling
2 all county requirements.

3 (b) Registration shall include:

4 (1) The name, address, and contact information of the
5 owner of the legal transient vacation rental;

6 (2) A description of the subject property, including the
7 tax map key number, street address, and name the
8 property is known by, whether a unique property name
9 for the property or an association or building name;

10 (3) Submission of a complete application for registration;

11 (4) Submission of a:

12 (A) Certificate of good standing or a certificate of
13 authority from the department's business
14 registration division;

15 (B) General excise tax license issued pursuant to
16 chapter 237; and

17 (C) Transient accommodations tax registration number
18 issued pursuant to chapter 237D;

19 (5) Payment of appropriate fees;



1 (c) No registration may be assigned, sold, leased,
2 encumbered, or otherwise transferred, except upon the written
3 application to and approval by the director.

4 § -4 **Application for registration.** The director shall
5 prescribe the form of the application for registration. Each
6 application shall be accompanied by the appropriate fees.

7 § -5 **Certificate of registration.** Each certificate of
8 registration shall be in a form prescribed and signed by the
9 director and issued in the name of the department.

10 § -6 **Prohibited acts.** No owner of a transient vacation
11 rental shall:

12 (1) Sell or advertise a transient vacation rental without
13 first registering with the director under this
14 chapter; or

15 (2) Otherwise violate any of the provisions of this
16 chapter or rules adopted pursuant to this chapter.

17 § -7 **Penalty.** (a) Any owner of a transient vacation
18 rental who fails to comply with this chapter shall pay a civil
19 penalty of \$ for each separate offense; provided that
20 following a warning issued by the director or an agent charged



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1 with the enforcement of this chapter, the owner shall be subject
2 to a fine of \$ for each separate offense.

3 (b) All fines shall be paid to the department and
4 deposited into the compliance resolution fund under section
5 26-9(o).

6 § -8 County authority. The several counties through
7 rules adopted pursuant to chapter 91 or ordinance may establish
8 additional regulations for transient vacation rentals.

9 § -9 Transient vacation rentals database. The
10 department shall establish and maintain a publicly searchable
11 database to be accessible at all times that permits a user to
12 conduct a search by the owner's name, subject property, tax map
13 key number, or unique property name."

14 SECTION 2. This Act shall take effect on January 1, 2020.

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Report Title:

Transient Vacation Rentals; Registration; Department of Commerce and Consumer Affairs; Database; Compliance Resolution Fund

Description:

Requires registration of transient vacation rentals with the director of commerce and consumer affairs prior to operating or doing business in the State. Permits certain nonconforming uses of transient vacation rentals. Establishes penalties for noncompliance with registration requirements and allocates associated fines to the compliance resolution fund. Authorizes the counties to impose additional regulations. Creates searchable database. Registration requirements effective January 1, 2020.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

