

HOUSE BILL NO. 184

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GRAY

Introduced: 5/1/23

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to short-term rental units; relating to the duties of the Department of**
2 **Commerce, Community, and Economic Development; establishing a state short-term**
3 **rental unit registry; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 34 is amended by adding a new chapter to read:

6 **Chapter 90. Short-Term Rental Unit Registry.**

7 **Sec. 34.90.010. State short-term rental unit registry.** (a) In coordination
8 with the Department of Public Safety, the Department of Health, and the Department
9 of Revenue, the Department of Commerce, Community, and Economic Development
10 shall create and maintain a registry of short-term rental units offered for rent in the
11 state.

12 (b) The department shall include the following information for each short-term
13 rental unit in the registry:

14 (1) the name of the operator;

- 1 (2) the telephone number, electronic mail address, and mailing address
 2 of the operator;
- 3 (3) the address of the unit;
- 4 (4) the year the unit was built;
- 5 (5) the type of rental unit;
- 6 (6) the number of units in the building;
- 7 (7) the accessibility of the unit;
- 8 (8) whether the unit is in a building or on a property that is owner-
 9 occupied and whether the unit is managed by a third party;
- 10 (9) evidence that the operator is the property owner or a tenant with the
 11 property owner's written consent;
- 12 (10) the number of an operator's state business license issued under
 13 AS 43.70.020; and
- 14 (11) other information the department may reasonably require.

15 (c) A registration made under this section expires one year after the date the
 16 registration is issued and shall be renewed annually.

17 (d) A change in the operator registered under this section invalidates the unit's
 18 registration.

19 **Sec. 34.90.020. Application and fees for short-term rental registration.** (a)

20 To register a short-term rental unit under this chapter, a person shall apply in writing
 21 in the form or format prescribed by the department. The application must include

- 22 (1) information required under AS 34.90.010(b);
- 23 (2) a signed declaration in a form provided by the department
 24 certifying that the applicant understands that a false statement on the application is
 25 punishable as unsworn falsification in the second degree under AS 11.56.210;
- 26 (3) the registration fee required under (b) of this section.

27 (b) A person who applies to register a short-term rental unit under this chapter
 28 shall pay to the department a nonrefundable application fee in the amount determined
 29 under (c) of this section.

30 (c) The department shall establish by regulation the application fee assessed
 31 under this section in an amount that provides for the total amount of fees collected

1 under (b) of this section to approximately equal the actual costs incurred by the
 2 department under this chapter. The department shall annually review the fee level to
 3 determine whether the costs incurred by the department in administering this chapter
 4 are approximately equal to the fees collected. If the review indicates that the fees
 5 collected and the actual costs are not approximately equal, the department shall adjust
 6 the application fee by regulation. In January of each year, the department shall report
 7 to the office of management and budget the fee level and any revision made for the
 8 previous year under this subsection.

9 (d) Upon receipt of a completed application, the department shall add the
 10 short-term rental unit to the short-term rental unit registry established under
 11 AS 34.90.010.

12 **Sec. 34.90.030. Registration required.** A person may not make a rental unit
 13 available as a short-term rental unit in the state without registering the unit under this
 14 chapter.

15 **Sec. 34.90.040. Limitation on number of short-term rental units.** An
 16 operator may register and operate only one short-term rental unit at a time under this
 17 chapter.

18 **Sec. 34.90.050. Reporting of potential violations.** A person may report a
 19 potential violation of this chapter to the department.

20 **Sec. 34.90.500. Definitions.** In this chapter,

21 (1) "bed and breakfast" means a place of lodging where rooms within a
 22 single dwelling unit are provided to transient guests by a resident operator for a
 23 prearranged fee on a daily or short-term basis;

24 (2) "charitable organization" means a charity that is exempt from
 25 taxation under 26 U.S.C. 501(c)(3) (Internal Revenue Code);

26 (3) "department" means the Department of Commerce, Community,
 27 and Economic Development;

28 (4) "operator" means a person who is an owner of a short-term rental
 29 unit, or a portion of the unit, who offers or provides the unit, or a portion of the unit,
 30 for short-term rental use or a person who is the tenant of a building containing a short-
 31 term rental unit, or a portion of the unit, who offers or provides the unit on a daily or

1 short-term basis;

2 (5) "short-term rental unit" means a room or rooms located within a
3 building that are occupied or intended to be occupied by not more than one household
4 as living accommodations independent from any other household that is offered for
5 overnight occupancy in exchange for a fee for periods of 30 consecutive days or less,
6 and does not include a

7 (A) hotel, motel, or bed and breakfast;

8 (B) commercially operated hunting or wilderness camp; or

9 (C) a unit operated by a government entity or charitable
10 organization that provides temporary housing to individuals or family members
11 of individuals who are being treated for trauma, injury, or disease.

12 * **Sec. 2.** AS 37.05.146(c) is amended by adding a new paragraph to read:

13 (85) fees collected by the Department of Commerce, Community, and
14 Economic Development under AS 34.90.

15 * **Sec. 3.** AS 44.33.020(a) is amended by adding a new paragraph to read:

16 (45) administer the short-term rental unit registry and carry out other
17 functions and duties under AS 34.90.

18 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 TRANSITION: APPLICABILITY TO SHORT-TERM RENTAL UNITS IN
21 CURRENT OPERATION. Notwithstanding AS 34.90.030 or 34.90.040, a person who is
22 operating a short-term rental unit on the effective date of sec. 1 of this Act may operate the
23 unit without registration under AS 34.90.010, added by sec. 1 of this Act, until January 1,
24 2026.

25 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 TRANSITION: REGULATIONS. The Department of Commerce, Community, and
28 Economic Development may adopt regulations necessary to implement this Act. The
29 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
30 effective date of the relevant provision of this Act implemented by the regulation.

31 * **Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

1 * **Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect January 1, 2025.