

1 AN ACT relating to transient room taxes.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 91A.350 TO 91A.394 IS CREATED
4 TO READ AS FOLLOWS:

5 *As used in KRS 91A.350 to 91A.394:*

6 *(1) "Like or similar accommodations businesses" includes, but is not limited to a*
7 *travel or accommodation intermediary;*

8 *(2) "Person" has the same meaning as in KRS 139.010;*

9 *(3) "Rent" means the total amount the customer is charged for the rental of the*
10 *accommodation. "Rent" does not include service fees charged by a travel or*
11 *accommodation intermediary for facilitating the rental of the accommodation;*
12 *and*

13 *(4) (a) "Travel or accommodation intermediary" means any person that maintains*
14 *an Internet Web site, mobile application, or any other platform, or uses any*
15 *other means that lists, arranges, or otherwise facilitates, brokers,*
16 *coordinates, or arranges for the rental of any room or rooms, lodgings, or*
17 *accommodations to the general public.*

18 *(b) "Travel or accommodations intermediary" does not include a person that*
19 *owns, operates, or manages the accommodations and makes them available*
20 *for rental to the general public for compensation.*

21 ➔Section 2. KRS 153.440 is amended to read as follows:

22 *(1) As used in this section:*

23 *(a) "Like or similar accommodations businesses" has the same meaning as in*
24 *Section 1 of this Act;*

25 *(b) "Person" has the same meaning as in KRS 139.010;*

26 *(c) "Rent" has the same meaning as in Section 1 of this Act; and*

27 *(d) "Travel or accommodations intermediary" has the same meaning as in*

1 **Section 1 of this Act.**

2 **(2)** In addition to the three percent (3%) transient room tax authorized by KRS
 3 91A.390, fiscal courts in counties containing cities of the first class or consolidated
 4 local governments may levy an additional transient room tax not to exceed one
 5 percent (1%) of the rent for every occupancy of a suite, room, or rooms, charged by
 6 all persons, companies, corporations, or other like or similar persons, groups, or
 7 organizations doing business as motor courts, motels, hotels, inns, or like or similar
 8 **accommodations**~~[accommodations]~~ businesses.

9 **(3)** All moneys collected from the tax authorized by this section shall be turned over to
 10 the Kentucky Center for the Arts Corporation and shall be used to defray operating
 11 costs of the Kentucky Center for the Arts.

12 ➔Section 3. KRS 153.450 is amended to read as follows:

13 (1) **As used in this section:**

14 **(a) "Like or similar accommodations businesses" has the same meaning as in**
 15 **Section 1 of this Act;**

16 **(b) "Person" has the same meaning as in KRS 139.010;**

17 **(c) "Project" means the renovation, expansion, or improvement of a**
 18 **convention center on or after July 15, 2016;**

19 **(d) "Rent" has the same meaning as in Section 1 of this Act; and**

20 **(e) "Travel or accommodations intermediary" has the same meaning as in**
 21 **Section 1 of this Act.**

22 **(2)** In addition to the four percent (4%) transient room tax authorized by KRS 91A.390
 23 an urban-county government may levy an additional transient room tax not to
 24 exceed two percent (2%) of the rent for every occupancy of a suite, room, or rooms,
 25 charged by all persons, companies, corporations, or other like or similar persons,
 26 groups, or organizations doing business as motor courts, motels, hotels, inns, or like
 27 or similar **accommodations**~~[accommodations]~~ businesses.

1 ~~(3)~~~~(2)~~ All additional moneys collected from the tax authorized by subsection ~~(2)~~~~(1)~~
2 of this section shall be applied toward the retirement of bonds used to finance a
3 nonprofit corporation which is created for the funding, construction, and
4 management of a convention center in an urban-county, and to defray the operating
5 costs of the nonprofit corporation.

6 ~~(4)~~~~(3)~~ (a) ~~As used in this subsection, "project" means the renovation, expansion, or~~
7 ~~improvement of a convention center on or after July 15, 2016.~~

8 ~~(b)~~ In addition to the levy authorized by subsection ~~(2)~~~~(1)~~ of this section, an
9 urban-county government may levy an additional transient room tax not to
10 exceed two and one-half percent (2.5%) to provide funding for a project.

11 ~~(b)~~~~(c)~~ Proceeds from the levy shall be used only for the direct expenditure for,
12 or repayment of debt associated with, the project.

13 ~~(c)~~~~(d)~~ The levy shall sunset upon completion of the project and repayment of
14 all associated debt.

15 ➔Section 4. This Act takes effect August 1, 2018.