

HOUSE BILL 2106

By Brooks K

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 66; Title 67 and Title 68, relative to establishments that rent space to guests for overnight stays.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, Part 5, is amended by adding the following language as a new, appropriately designated section:

(a) No bed and breakfast establishment or homestay shall operate in this state without a business license and paying all applicable taxes, including but not limited to:

- (1) The occupancy tax, as described in title 67, chapter 4, part 14; and
- (2) The sales tax, as provided in title 67, chapter 6.

(b) In addition to any other penalty provided in this part or title 67, the department of health shall assess against a bed and breakfast establishment or homestay a fine of fifty dollars (\$50.00) per day of rental made in violation of this section.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 14, Part 6, is amended by adding the following language as a new, appropriately designated section:

(a) No lodging establishment shall operate in this state without a business license and paying all applicable taxes, including but not limited to:

- (1) The occupancy tax, as described in title 67, chapter 4, part 14; and
- (2) The sales tax, as provided in title 67, chapter 6.

(b) In addition to any other penalty provided in this part or title 67, the department of health shall assess against a lodging establishment a fine of fifty dollars (\$50.00) per day of rental made in violation of this section.

(c) This section only applies to lodging establishments that rent facilities to guests for less than thirty (30) days.

SECTION 3. The commissioner of health is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2014, the public welfare requiring it.