

**Representative John Knotwell** proposes the following substitute bill:

**SHORT-TERM RENTAL AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John Knotwell**

Senate Sponsor: J. Stuart Adams

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**LONG TITLE**

**General Description:**

This bill prevents a political subdivision from prohibiting the use of a short-term rental website.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ prevents a political subdivision from prohibiting an individual from listing or offering a short-term rental on a short-term rental website.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**10-8-85.4**, Utah Code Annotated 1953

**17-50-338**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*



26 Section 1. Section 10-8-85.4 is enacted to read:

27 **10-8-85.4. Ordinances regarding short-term rentals -- Prohibition on ordinances**  
28 **restricting speech on short-term rental websites.**

29 (1) As used in this section:

30 (a) "Residential unit" means a residential structure or any portion of a residential  
31 structure that is occupied as a residence.

32 (b) "Short-term rental" means a residential unit or any portion of a residential unit that  
33 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30  
34 consecutive days.

35 (c) "Short-term rental website" means a website that:

36 (i) allows a person to offer a short-term rental to one or more prospective renters; and

37 (ii) facilitates the renting of, and payment for, a short-term rental.

38 (2) Notwithstanding Section 10-9a-501 or Subsection 10-9a-503(1), a legislative body  
39 may not:

40 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a  
41 short-term rental on a short-term rental website; or

42 (b) Ĥ→ [using] use ←Ĥ an ordinance that prohibits the act of renting a short-term rental  
42a Ĥ→ [s] to ←Ĥ fine, charge,  
43 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term  
44 rental on a short-term rental website.

45 Section 2. Section 17-50-338 is enacted to read:

46 **17-50-338. Ordinances regarding short-term rentals -- Prohibition on ordinances**  
47 **restricting speech on short-term rental websites.**

48 (1) As used in this section:

49 (a) "Residential unit" means a residential structure or any portion of a residential  
50 structure that is occupied as a residence.

51 (b) "Short-term rental" means a residential unit or any portion of a residential unit that  
52 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30  
53 consecutive days.

54 (c) "Short-term rental website" means a website that:

55 (i) allows a person to offer a short-term rental to one or more prospective renters; and

56 (ii) facilitates the renting of, and payment for, a short-term rental.

57           (2) Notwithstanding Section [17-27a-501](#) or Subsection [17-27a-503\(1\)](#), a legislative  
58 body may not:

59           (a) enact or enforce an ordinance that prohibits an individual from listing or offering a  
60 short-term rental on a short-term rental website; or

61           (b) ~~It~~ ~~→~~ ~~using~~ use ~~←~~ ~~It~~ an ordinance that prohibits the act of renting a short-term rental  
61a ~~It~~ ~~→~~ ~~to~~ ~~←~~ ~~It~~ fine, charge,  
62 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term  
63 rental on a short-term rental website.