

1                                   **SHORT-TERM RENTAL AMENDMENTS**

2   2017 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: John Knotwell**

5                                   Senate Sponsor: J. Stuart Adams

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7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12           This bill:

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

16 **Money Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           None

20 **Utah Code Sections Affected:**

21 ENACTS:

22           **10-8-85.4**, Utah Code Annotated 1953

23           **17-50-338**, Utah Code Annotated 1953

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25 *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) use an ordinance that prohibits the act of renting a short-term rental to 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) use an ordinance that prohibits the act of renting a short-term rental to 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.