

SHORT-TERM PROPERTY RENTAL AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carol Spackman Moss

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the regulation of short-term rentals.

Highlighted Provisions:

This bill:

▶ amends provisions related to short-term rental ordinances and the enforcement of short-term rental ordinances enacted by a municipality or a county; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-8-85.4, as last amended by Laws of Utah 2021, Chapter 102

17-50-338, as last amended by Laws of Utah 2021, Chapter 102

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

Section 1. Section **10-8-85.4** is amended to read:

10-8-85.4. Ordinances regarding short-term rentals.

(1) As used in this section:



28 (a) "Internal accessory dwelling unit" means the same as that term is defined in Section
29 [10-9a-511.5](#).

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

32 (c) "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 (d) "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) Except as described in Subsection (3), a legislative body may enact and enforce an
39 ordinance that:

40 (a) prohibits an individual from listing or offering a short-term rental on a short-term
41 rental website; and

42 (b) imposes a civil penalty in accordance with Subsection [10-3-703\(2\)](#) for the act of
43 listing or offering a short-term rental on a short-term website.

44 ~~[(2)]~~ (3) Notwithstanding Section [10-9a-501](#) or Subsection [10-9a-503\(1\)](#), for a
45 short-term rental located in a zoning district that allows short-term rentals, a legislative body
46 may not:

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

49 (b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge,
50 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term
51 rental on a short-term rental website.

52 ~~[(3)]~~ (4) Subsection ~~[(2)]~~ (3) does not apply to an individual who lists or offers an
53 internal accessory dwelling unit as a short-term rental on a short-term rental website if the
54 municipality records a notice for the internal accessory dwelling unit under Subsection
55 [10-9a-530\(6\)](#).

56 Section 2. Section **17-50-338** is amended to read:

57 **17-50-338. Ordinances regarding short-term rentals.**

58 (1) As used in this section:

59 (a) "Internal accessory dwelling unit" means the same as that term is defined in Section
60 [10-9a-511.5](#).

61 (b) "Residential unit" means a residential structure or any portion of a residential
62 structure that is occupied as a residence.

63 (c) "Short-term rental" means a residential unit or any portion of a residential unit that
64 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30
65 consecutive days.

66 (d) "Short-term rental website" means a website that:

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

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

69 (2) Except as described in Subsection (3), a legislative body may enact and enforce an
70 ordinance that:

71 (a) prohibits an individual from listing or offering a short-term rental on a short-term
72 rental website; and

73 (b) imposes a civil penalty in accordance with Section [17-27a-803](#) for the act of listing
74 or offering a short-term rental on a short-term website.

75 ~~[(2)]~~ (3) Notwithstanding Section [17-27a-501](#) or Subsection [17-27a-503\(1\)](#), for a
76 short-term rental located in a zoning district that allows short-term rentals, a legislative body
77 may not:

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

80 (b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge,
81 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term
82 rental on a short-term rental website.

83 ~~[(3)]~~ (4) Subsection ~~[(2)]~~ (3) does not apply to an individual who lists or offers an
84 internal accessory dwelling unit as a short-term rental on a short-term rental website if the
85 county records a notice for the internal accessory dwelling unit under Subsection
86 [17-27a-526\(6\)](#).