

**SHORT-TERM RENTAL AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jacob L. Anderegg**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill amends provisions related to short-term rentals.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a municipality or county from enacting or enforcing an ordinance that would not allow owner-occupied short-term rentals; and
- ▶ prohibits a municipality or county from using tax revenue to rent a short-term rental for the purpose of enforcing an ordinance that prohibits renting a short-term rental.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**10-8-85.4**, as enacted by Laws of Utah 2017, Chapter 335

**17-50-338**, as enacted by Laws of Utah 2017, Chapter 335

---

---

*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 -- Limitations on use of tax**



28 **revenue.**

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  
39 body] municipality 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) enact or enforce an ordinance that prohibits the act of renting a short-term rental if  
43 the owner of the short-term rental occupies the residential structure in which the short-term  
44 rental is located;

45 [~~(b)~~] (c) use an ordinance that prohibits the act of renting a short-term rental to fine,  
46 charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a  
47 short-term rental on a short-term rental website[-]; or

48 (d) use tax revenue to rent a short-term rental that is listed or offered on a short-term  
49 rental website for the purpose of enforcing an ordinance that prohibits the act of renting the  
50 short-term rental.

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

52 **17-50-338. Ordinances regarding short-term rentals -- Limitations on use of tax**  
53 **revenue.**

54 (1) As used in this section:

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

57 (b) "Short-term rental" means a residential unit or any portion of a residential unit that  
58 the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30

59 consecutive days.

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

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

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

63 (2) Notwithstanding Section 17-27a-501 or Subsection 17-27a-503(1), a [legislative  
64 body] county may not:

65 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a  
66 short-term rental on a short-term rental website; [or]

67 (b) enact or enforce an ordinance that prohibits the act of renting a short-term rental if  
68 the owner of the short-term rental occupies the residential structure in which the short-term  
69 rental is located;

70 [~~b~~] (c) use an ordinance that prohibits the act of renting a short-term rental to fine,  
71 charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a  
72 short-term rental on a short-term rental website[-]; or

73 (d) use tax revenue to rent a short-term rental that is listed or offered on a short-term  
74 rental website for the purpose of enforcing an ordinance that prohibits the act of renting the  
75 short-term rental.