

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1168

(Reference to Senate engrossed bill)

1 Page 1, line 15, strike "~~Protecting~~"

2 Line 17, strike the second comma insert "AND"

3 Line 18, strike "and designation of an emergency point of contact,"

4 Line 21, after "and" insert "ENFORCE" strike "~~residential use and zoning~~"

5 Line 22, strike "ENFORCE" insert "residential use and zoning"

6 Line 32, strike "with" insert "AN EMERGENCY POINT OF"

7 Line 34, after "complaints" insert "OR EMERGENCIES"; strike "in person,";

8 strike "or" insert a comma; after "email" insert "OR IN PERSON IF
9 AVAILABLE,"

10 Between lines 41 and 42, insert:

11 "5. A CITY OR TOWN MAY REQUIRE AN OWNER OF A VACATION RENTAL OR
12 SHORT-TERM RENTAL TO OBTAIN AND MAINTAIN A LOCAL REGULATORY PERMIT OR
13 LICENSE PURSUANT TO TITLE 9, CHAPTER 7, ARTICLE 4. AS A CONDITION OF
14 ISSUANCE OF A PERMIT OR LICENSE, THE APPLICATION FOR THE PERMIT OR LICENSE
15 MAY ONLY REQUIRE AN APPLICANT TO PROVIDE THE FOLLOWING:

16 (a) NAME, ADDRESS, PHONE NUMBER AND EMAIL ADDRESS FOR THE OWNER OR
17 OWNER'S AGENT.

18 (b) ADDRESS OF THE VACATION RENTAL OR SHORT-TERM RENTAL.

19 (c) A VALID TRANSACTION PRIVILEGE TAX LICENSE NUMBER ISSUED PURSUANT
20 TO SECTION 42-5005.

21 (d) INFORMATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION.

22 (e) ACKNOWLEDGMENT THAT THE OWNER WILL COMPLY WITH ALL APPLICABLE
23 STATE LAWS AND ORDINANCES.

1 (f) A FEE NOT TO EXCEED THE ACTUAL COST OF ISSUING THE PERMIT OR
2 LICENSE OR \$250, WHICHEVER IS LESS.

3 6. TO REQUIRE, AFTER OBTAINING A PERMIT OR LICENSE PURSUANT TO
4 PARAGRAPH 5 OF THIS SUBSECTION BUT BEFORE OFFERING A VACATION RENTAL OR
5 SHORT-TERM RENTAL FOR RENT FOR THE FIRST TIME, THE OWNER OF A VACATION
6 RENTAL OR SHORT-TERM RENTAL TO NOTIFY THE OWNERS OF ALL RESIDENTIAL
7 PROPERTY OWNERS ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE STREET
8 FROM, OR IN THE SAME BUILDING AS, THE VACATION RENTAL OR SHORT-TERM RENTAL.
9 A CITY OR TOWN MAY REQUIRE ADDITIONAL NOTIFICATION PURSUANT TO THIS
10 PARAGRAPH IF THE CONTACT INFORMATION PREVIOUSLY PROVIDED CHANGES.”

11 Renumber to conform

12 Page 1, line 42, strike “OWNER OF A”

13 Line 44, strike “OR TO ADVERTISE” insert a period

14 Page 2, line 1, strike “AND OFFER EACH VACATION RENTAL OR SHORT-TERM RENTAL
15 THROUGH” insert “ANY ORDINANCE ADOPTED PURSUANT TO THIS PARAGRAPH SHALL
16 ALLOW THE REQUIRED INSURANCE TO BE PROVIDED BY THE OWNER OR”

17 Line 2, after “MARKETPLACE” insert a period, strike the remainder of line
18 Between lines 13 and 14, insert:

19 “C. A CITY OR TOWN THAT REQUIRES A LOCAL REGULATORY PERMIT OR
20 LICENSE PURSUANT TO THIS SECTION SHALL ISSUE OR DENY THE PERMIT OR LICENSE
21 WITHIN SEVEN BUSINESS DAYS OF RECEIPT OF THE INFORMATION REQUIRED BY
22 SUBSECTION B, PARAGRAPH 5 OF THIS SECTION AND OTHERWISE IN ACCORDANCE WITH
23 SECTION 9-835, EXCEPT THAT A CITY OR TOWN MAY DENY ISSUANCE OF A PERMIT OR
24 LICENSE ONLY FOR ANY OF THE FOLLOWING:

25 1. FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION B,
26 PARAGRAPH 5, SUBDIVISIONS (a) THROUGH (f) OF THIS SECTION.

27 2. FAILURE TO PAY THE REQUIRED PERMIT OR LICENSE FEE.

28 3. AT THE TIME OF APPLICATION THE OWNER HAS A SUSPENDED PERMIT OR
29 LICENSE, PURSUANT TO SUBSECTION B, PARAGRAPH 5 OF THIS SECTION, FOR THE
30 SAME VACATION RENTAL OR SHORT-TERM RENTAL.

31 4. THE APPLICANT PROVIDES FALSE INFORMATION. ”

32 Reletter to conform

1 Page 2, line 14, strike "IMPOSE A" insert "ADOPT AN ORDINANCE THAT PROVIDES FOR
2 THE IMPOSITION OF A"

3 Line 16, strike "OWNER" insert "PROPERTY"

4 Lines 22 and 25, after "OR" insert "UP TO"

5 Line 30, strike "MAY" insert "SHALL"

6 Line 31, after "MONTHS" strike remainder of line

7 Strike lines 32 through 34, insert "THE USE OF A VALID TRANSACTION PRIVILEGE
8 TAX LICENSE FOR A VACATION RENTAL OR SHORT-TERM RENTAL IF THE VACATION
9 RENTAL OR SHORT-TERM RENTAL RECEIVES THREE VERIFIED VIOLATIONS WITHIN THE
10 SME TWELVE-MONTH PERIOD. THE TRANSACTION PRIVILEGE TAX LICENSE SHALL
11 REMAIN VALID FOR VACATION RENTALS OR SHORT-TERM RENTALS THAT DO NOT HAVE
12 THREE VERIFIED VIOLATIONS, ACCOUNTING FOR VACATION RENTAL OR SHORT-TERM
13 RENTAL OWNERS AND OPERATORS THAT USE A TRANSACTION PRIVILEGE TAX LICENSE
14 FOR MULTIPLE PROPERTIES."

15 Line 38, after "PENALTIES" insert "OR SUSPENDING THE OWNER'S REGULATORY PERMIT
16 OR LICENSE"

17 Page 3, between lines 15 and 16, insert:

18 "J. AN OWNER-OCCUPIED SHORT-TERM RENTAL OR VACATION RENTAL IS EXEMPT
19 FROM THE LOCAL REGULATORY PERMIT OR LICENSE REQUIREMENT IN SUBSECTION B,
20 PARAGRAPH 5 OF THIS SECTION, EXCEPT THE OWNER SHALL COMPLY WITH ALL OTHER
21 PROVISIONS OF THIS SECTION, INCLUDING OBTAINING A VALID TRANSACTION
22 PRIVILEGE TAX LICENSE ISSUED PURSUANT TO SECTION 42-5005."

23 Reletter to conform

24 Between lines 18 and 19, insert:

25 "2. "OWNER-OCCUPIED" MEANS A DWELLING WITH FOUR OR FEWER UNITS, ON
26 WHICH THE OWNER RESIDES IN ONE OF THE UNITS AS THEIR LEGAL PRIMARY
27 RESIDENCE AND THE OWNER IS ONSITE DURING THE RENTAL PERIOD. FOR PURPOSES
28 OF THIS DEFINITION, A PERSON CAN HAVE ONLY ONE "LEGAL PRIMARY RESIDENCE",
29 WHICH MEANS THE USUAL PLACE OF RETURN FOR HOUSING OF THE OWNER OF THE
30 DWELLING FOR AT LEAST 275 DAYS OF THE CALENDAR YEAR AND AS DOCUMENTED BY AT
31 LEAST TWO OF THE FOLLOWING:

32 (a) MOTOR VEHICLE REGISTRATION.

1 (b) DRIVER'S LICENSE OR ARIZONA STATE IDENTIFICATION CARD.

2 (c) INCOME TAX RETURN.

3 (d) PROPERTY TAX BILL.

4 (e) UTILITY BILL.

5 3. "ONSITE" MEANS THE OWNER MAINTAINS A PHYSICAL PRESENCE IN THE
6 DWELLING AND RESIDES IN A HABITABLE DWELLING UNIT OR PORTION THEREOF
7 THROUGHOUT A GUEST'S STAY."

8 Renumber to conform

9 Page 4, line 5, strike the second comma insert "AND"

10 Line 6, strike "and designation of an emergency point of contact,"

11 Line 9, after "and" insert "ENFORCE" strike "~~residential use and zoning~~"

12 Line 10, strike "ENFORCE" insert "residential use and zoning"

13 Line 20, strike "with" insert "AN EMERGENCY POINT OF"

14 Line 22, after "complaints" insert "OR EMERGENCIES"; strike "in person,";

15 strike "or" insert a comma; after "email" insert "OR IN PERSON IF
16 AVAILABLE,"

17 Between lines 28 and 29, insert:

18 "5. A COUNTY MAY REQUIRE AN OWNER OF A VACATION RENTAL OR SHORT-TERM
19 RENTAL TO OBTAIN AND MAINTAIN A LOCAL REGULATORY PERMIT OR LICENSE PURSUANT
20 TO TITLE 9, CHAPTER 7, ARTICLE 4. AS A CONDITION OF ISSUANCE OF A PERMIT
21 OR LICENSE, THE APPLICATION FOR THE PERMIT OR LICENSE MAY ONLY REQUIRE AN
22 APPLICANT TO PROVIDE THE FOLLOWING:

23 (a) NAME, ADDRESS, PHONE NUMBER AND EMAIL ADDRESS FOR THE OWNER OR
24 OWNER'S AGENT.

25 (b) ADDRESS OF THE VACATION RENTAL OR SHORT-TERM RENTAL.

26 (c) A VALID TRANSACTION PRIVILEGE TAX LICENSE NUMBER ISSUED PURSUANT
27 TO SECTION 42-5005.

28 (d) INFORMATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION.

29 (e) ACKNOWLEDGMENT THAT THE OWNER WILL COMPLY WITH ALL APPLICABLE
30 STATE LAWS AND ORDINANCES.

31 (f) A FEE NOT TO EXCEED THE ACTUAL COST OF ISSUING THE PERMIT OR
32 LICENSE OR \$250, WHICHEVER IS LESS.

1 6. TO REQUIRE, AFTER OBTAINING A PERMIT OR LICENSE PURSUANT TO
2 PARAGRAPH 5 OF THIS SUBSECTION BUT BEFORE OFFERING A VACATION RENTAL OR
3 SHORT-TERM RENTAL FOR RENT FOR THE FIRST TIME, THE OWNER OF A VACATION
4 RENTAL OR SHORT-TERM RENTAL TO NOTIFY THE OWNERS OF ALL RESIDENTIAL
5 PROPERTY OWNERS ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE STREET
6 FROM, OR IN THE SAME BUILDING AS, THE VACATION RENTAL OR SHORT-TERM RENTAL.
7 A COUNTY MAY REQUIRE ADDITIONAL NOTIFICATION PURSUANT TO THIS PARAGRAPH IF
8 THE CONTACT INFORMATION PREVIOUSLY PROVIDED CHANGES.”

9 Renumber to conform

10 Page 4, line 29, strike “OWNER OF A”

11 Line 31, strike “OR TO ADVERTISE” insert a period

12 Line 32, strike “AND OFFER EACH VACATION RENTAL OR SHORT-TERM RENTAL THROUGH”
13 insert “ANY ORDINANCE ADOPTED PURSUANT TO THIS PARAGRAPH SHALL ALLOW THE
14 REQUIRED INSURANCE TO BE PROVIDED BY THE OWNER OR”

15 Line 33, after “MARKETPLACE” insert a period, strike the remainder of line

16 After line 44, insert:

17 “C. A COUNTY THAT REQUIRES A LOCAL REGULATORY PERMIT OR LICENSE
18 PURSUANT TO THIS SECTION SHALL ISSUE OR DENY THE PERMIT OR LICENSE WITHIN
19 SEVEN BUSINESS DAYS OF RECEIPT OF THE INFORMATION REQUIRED BY SUBSECTION B,
20 PARAGRAPH 5 OF THIS SECTION AND OTHERWISE IN ACCORDANCE WITH SECTION 9-835,
21 EXCEPT THAT A COUNTY MAY DENY ISSUANCE OF A PERMIT OR LICENSE ONLY FOR ANY
22 OF THE FOLLOWING:

23 1. FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION B,
24 PARAGRAPH 5, SUBDIVISIONS (a) THROUGH (f) OF THIS SECTION.

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26 3. AT THE TIME OF APPLICATION THE OWNER HAS A SUSPENDED PERMIT OR
27 LICENSE, PURSUANT TO SUBSECTION B, PARAGRAPH 5 OF THIS SECTION, FOR THE
28 SAME VACATION RENTAL OR SHORT-TERM RENTAL.

29 4. THE APPLICANT PROVIDES FALSE INFORMATION. ”

30 Reletter to conform

31 Page 5, line 1, strike “CITY OR TOWN” insert “COUNTY”; strike “IMPOSE A” insert
32 “ADOPT AN ORDINANCE THAT PROVIDES FOR THE IMPOSITION OF A”

1 Line 3, strike "OWNER" insert "PROPERTY"

2 Lines 9 and 12, after "OR" insert "UP TO"

3 Line 17, strike "MAY" insert "SHALL"

4 Line 18, after "MONTHS" strike remainder of line

5 Strike lines 19 through 21, insert "THE USE OF A VALID TRANSACTION PRIVILEGE
6 TAX LICENSE FOR A VACATION RENTAL OR SHORT-TERM RENTAL IF THE VACATION
7 RENTAL OR SHORT-TERM RENTAL RECEIVES THREE VERIFIED VIOLATIONS WITHIN THE
8 SAME TWELVE-MONTH PERIOD. THE TRANSACTION PRIVILEGE TAX LICENSE SHALL
9 REMAIN VALID FOR VACATION RENTALS OR SHORT-TERM RENTALS THAT DO NOT HAVE
10 THREE VERIFIED VIOLATIONS, ACCOUNTING FOR VACATION RENTAL OR SHORT-TERM
11 RENTAL OWNERS AND OPERATORS THAT USE A TRANSACTION PRIVILEGE TAX LICENSE
12 FOR MULTIPLE PROPERTIES."

13 Line 25, after "PENALTIES" insert "OR SUSPENDING THE OWNER'S REGULATORY PERMIT
14 OR LICENSE"

15 Page 6, between lines 4 and 5, insert:

16 "J. AN OWNER-OCCUPIED SHORT-TERM RENTAL OR VACATION RENTAL IS EXEMPT
17 FROM THE LOCAL REGULATORY PERMIT OR LICENSE REQUIREMENT IN SUBSECTION B,
18 PARAGRAPH 5 OF THIS SECTION, EXCEPT THE OWNER SHALL COMPLY WITH ALL OTHER
19 PROVISIONS OF THIS SECTION, INCLUDING OBTAINING A VALID TRANSACTION
20 PRIVILEGE TAX LICENSE ISSUED PURSUANT TO SECTION 42-5005."

21 Reletter to conform

22 Between lines 7 and 8, insert:

23 "2. "OWNER-OCCUPIED" MEANS A DWELLING WITH FOUR OR FEWER UNITS, ON
24 WHICH THE OWNER RESIDES IN ONE OF THE UNITS AS THEIR LEGAL PRIMARY
25 RESIDENCE AND THE OWNER IS ONSITE DURING THE RENTAL PERIOD. FOR PURPOSES
26 OF THIS DEFINITION, A PERSON CAN HAVE ONLY ONE "LEGAL PRIMARY RESIDENCE",
27 WHICH MEANS THE USUAL PLACE OF RETURN FOR HOUSING OF THE OWNER OF THE
28 DWELLING FOR AT LEAST 275 DAYS OF THE CALENDAR YEAR AND AS DOCUMENTED BY AT
29 LEAST TWO OF THE FOLLOWING:

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4 DWELLING AND RESIDES IN A HABITABLE DWELLING UNIT OR PORTION THEREOF
5 THROUGHOUT A GUEST'S STAY."

6 Renumber to conform

7 Amend title to conform

STEVE KAISER

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03/21/2022
10:05 AM
H: PRB/lis