

Amendment to HB 654-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT establishing a committee to study the regulation and taxation of vacation rentals and  
4 short-term rentals, and relative to examinations of vacation and short-term rentals.

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6 Amend the bill by replacing all after section 5 with the following:

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8 6 New Section; Housing Standards; Examination of Vacation Rentals and Short-Term Rentals.

9 Amend RSA 48-A by inserting after section 15 the following new section:

10 48-A:16 Examination of Vacation Rentals and Short-Term Rentals.

11 I.(a) Notwithstanding any provision of law to the contrary, a municipality or public agency  
12 shall be permitted to enter upon the premises of a vacation rental or short-term rental for the  
13 purpose of making examinations under this chapter, provided that such entries shall be made only  
14 upon an individualized showing of probable cause that a particular dwelling is unfit for human  
15 habitation sufficient to support issuance of a search warrant by a court of competent jurisdiction in  
16 the event entry is denied or resisted. In no case shall entries into dwellings for the purpose of  
17 making such examinations be permitted in the absence of an individualized showing of probable  
18 cause.

19 (b) Before conducting an examination under subparagraph (a), the municipality shall  
20 provide at least 48-hour notice to the dwelling owner in writing of the municipality's request for  
21 inspection and the basis for the municipality's claim of probable cause. The mere fact that a  
22 dwelling is used as a vacation rental or short-term rental shall not constitute probable cause for  
23 entry into the dwelling.

24 (c) The municipality shall not charge a fee for an inspection under this paragraph.

25 (d) The municipality shall not require a certificate of occupancy or other license for a  
26 short-term or vacation rental.

27 II. In this section, "vacation rental" or "short-term rental" means any individually or  
28 collectively owned single-family house or dwelling unit or any unit or group of units in a  
29 condominium, cooperative, or owner occupied residential home, that is offered for a fee and for less  
30 than 30 consecutive days. Vacation rentals and short-term rentals are residential uses of property  
31 and do not include any unit that is used for any nonresidential use, including retail, restaurant,  
32 banquet space, event center, or another similar use.

33 7 Effective Date.

- 1 I. Section 6 of this act shall take effect July 1, 2017.
- 2 II. The remainder of this act shall take effect upon its passage.

2017-1709s

AMENDED ANALYSIS

This bill establishes a committee to study the regulation and taxation of vacation rentals and short-term rentals. This bill also establishes limits on examinations of vacation and short-term rentals by a municipality or public agency.