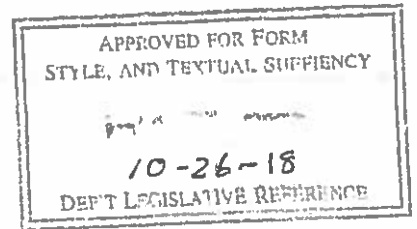


AMENDMENTS TO COUNCIL BILL 18-189
(1st Reader Copy)



By: Taxation, Finance, and Economic Development Committee

Amendment No. 1 {Purpose Clause}

On page 1, at the end of line 8, after “providing for”, strike “a”; and, in line 9, strike “date” and substitute “dates”.

Amendment No. 2 {Definitions}

ADOPTED

On page 2, strike lines 14 through 19, in their entireties; and, in line 20, strike “(F)” and substitute “(D)”; and, strike lines 24 through 26, in their entireties; and, in line 27, strike “(H)” and substitute “(E)”; and, in line 28, before the colon, insert “. IN EXCHANGE FOR A FEE”; and, on page 3, after line 4, insert:

“(F) HOUSING COMMISSIONER; COMMISSIONER.

“HOUSING COMMISSIONER” OR “COMMISSIONER” MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.”;

and, in line 5, line 18, and line 23, strike “(I)”, “(J)”, and “(K)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively; and, strike lines 31 through 33, in their entireties.

Amendment No. 3 {Substituting “Housing Commissioner” for “Finance Director / Dep’t”}

On page 4, in line 12, line 22, and line 26, and on page 6, in line 1, and on page 7, in lines 3-4, line 26, and line 32, and on page 8, in line 4 and line 18, and on page 9, in line 8, line 25, line 31, and line 32, and on page 10, in line 5, in each instance, strike “FINANCE DIRECTOR” or “FINANCE DEPARTMENT”, as the case may be, and substitute “HOUSING COMMISSIONER”; and, on page 8, in line 8, strike “DEPARTMENT” and substitute “COMMISSIONER”; and, on page 9, in line 26, strike “DIRECTOR’S” and substitute “COMMISSIONER’S”; and, on page 9, in line 33, strike “HOUSING COMMISSIONER.”.

Amendment No. 4 {§ 48-7(a) [Licensing prerequisites - Limitations]}

On page 4, strike line 29, in its entirety, and on page 5, strike lines 1 through 4, in their entireties, and substitute:

“(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY ONLY BE ISSUED A SHORT-TERM RESIDENTIAL RENTAL LICENSE FOR HIS OR HER PERMANENT RESIDENCE.

(2) (i) A HOST MAY BE ISSUED A SHORT-TERM RESIDENTIAL RENTAL LICENSE FOR 1 ADDITIONAL DWELLING UNIT IF:

(A) THE DWELLING UNIT HAD A SUCCESSFULLY EXECUTED BOOKING TRANSACTION, AS DESCRIBED IN SUBPARAGRAPH (ii) OF THIS PARAGRAPH (2), BETWEEN AUGUST 1, 2017, AND DECEMBER 31, 2018;

(B) THE HOST BECAME THE OWNER OF THE ADDITIONAL DWELLING UNIT ON OR BEFORE DECEMBER 31, 2018; AND

(C) THE HOST APPLIES FOR A SHORT-TERM RESIDENTIAL RENTAL LICENSE FOR THE ADDITIONAL DWELLING UNIT NO LATER THAN THE 90TH DAY AFTER THE DATE ON WHICH THIS SUBTITLE TAKES EFFECT.

(ii) FOR PURPOSES OF THIS PARAGRAPH (2), A BOOKING TRANSACTION IS DEEMED SUCCESSFULLY EXECUTED IF A FEE WAS EXCHANGED, WHETHER DIRECTLY OR INDIRECTLY, BETWEEN THE HOST APPLYING FOR THE DWELLING UNIT’S SHORT-TERM RESIDENTIAL RENTAL LICENSE AND A TRANSIENT GUEST, FOR THE SHORT-TERM RESIDENTIAL RENTAL OF THE DWELLING UNIT.

(3) SHORT-TERM RESIDENTIAL RENTAL LICENSES ARE NOT PROPERTY RIGHTS, AND A SHORT-TERM RESIDENTIAL RENTAL LICENSE DOES NOT TRANSFER ON THE SALE OR ANY OTHER OWNERSHIP TRANSFER OF A DWELLING UNIT.”.

Amendment No. 5 {§§ 48-8 and 48-9 [License term, renewal, and fee]}

On page 5, in line 27, strike “ANNUALLY” and substitute “BIENNIAL”; and, in line 31, before “TERM”, strike “1-YEAR” and substitute “2-YEAR”; and, on page 6, in line 5, strike “ANNUAL” and substitute “BIENNIAL”; and, in the same line, strike “\$100” and substitute “\$200”.

Amendment No. 6 {§ 48-15(a) [Host requirements - In general.]}

On page 6, in line 11, after “COMPLY”, insert “WITH”.

Amendment No. 7 {§ 48-15(b)-(c) [Host requirements - Rental days; Association, etc., regs.]}

On page 6, strike lines 12 through 22, in their entireties; and on page 6, in line 23 and line 27, and on page 7, in line 5, line 12 and line 17, strike “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively, and substitute “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively.

Amendment No. 8 {§ 48-15(balance) [Host requirements - Records; Emergency contact; Notice of license.]}

On page 6, in line 27, strike “AND GUESTS”; and in lines 31 and 32, strike “AND THEIR RESPECTIVE TRANSIENT GUESTS”; and, on page 7, in line 6 and line 11, in each instance, strike “UNHOSTED”; and, on page 7, in line 11, strike “ENTIRETY” and substitute “ENTIRE”; and, on page 7, in line 15, strike “FACILITY” and substitute “DWELLING UNIT”.

Amendment No. 9 {§ 48-16(a) [Platform requirements - In general; Subpoenas.]}

On page 7, at the beginning of line 22, insert the paragraph designator “(1)”; and, in the same line, strike “HOSTING” and substitute “ALL HOSTING”; and, in the same line, after “COMPLY”, insert “WITH”; and, after line 22, insert:

“(2) THE HOUSING COMMISSIONER MAY ISSUE AND SERVE ADMINISTRATIVE SUBPOENAS AS NECESSARY TO ENSURE COMPLIANCE BY HOSTING PLATFORMS WITH THIS SUBTITLE.”

Amendment No. 10 {§ 48-16(b) [Platform requirements - Verifying host’s bona fides.]}

On page 8, after line 9, insert:

“(4) IF A HOSTING PLATFORM RECEIVES WRITTEN NOTICE FROM THE HOUSING COMMISSIONER THAT A DWELLING UNIT ADVERTISED OR LISTED FOR SHORT-TERM RESIDENTIAL RENTAL ON THE HOSTING PLATFORM CANNOT LAWFULLY BE USED FOR A SHORT-TERM RESIDENTIAL RENTAL, THE HOSTING PLATFORM MUST REMOVE THE ADVERTISEMENT OR LISTING WITHIN 3 DAYS.”

(5) A HOSTING PLATFORM MAY NOT COLLECT OR RECEIVE A FEE IN EXCHANGE FOR FACILITATING RESERVATIONS, ADVERTISEMENTS, OR LISTINGS OF SHORT-TERM RESIDENTIAL RENTALS, FOR SERVING AS A COMMUNICATION CONDUIT BETWEEN HOSTS AND TRANSIENT GUESTS, OR FOR OTHERWISE FACILITATING BOOKING TRANSACTIONS FOR SHORT-TERM RESIDENTIAL RENTALS IF THE DWELLING UNIT CANNOT LAWFULLY BE USED FOR A SHORT-TERM RESIDENTIAL RENTAL.”.

Amendment No. 11 {§ 48-16(c) [Platform requirements - Records.]}

On page 8, in line 14, before “FACILITATED”, insert “ADVERTISED, LISTED, OR OTHERWISE”; and, in line 23, after “ADDRESS”, insert “AND THE BLOCK AND LOT NUMBERS”; and, on the same page, strike lines 25 and 26, in their entireties; and, on the same page, in line 27, line 28, and line 31, strike “(v)”, “(vi)”, and “(vii)”, respectively, and substitute “(iv)”, “(v)”, and “(vi)”, respectively.

Amendment No. 12 {§ 21-2(1) [Tax imposed.]}

On page 12, in line 14, after “operators”, insert “of”.

Amendment No. 13 {Severability Clause}

On page 13, after line 18, insert:

“SECTION 3. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or its application to any person, entity, or circumstance is held invalid, this invalidity does not affect other provisions or applications; and, to this extent, the provisions of this Ordinance are severable.”.

Amendment No. 14 {Effective Dates}

On page 13, in line 19, after “SECTION”, strike “3” and substitute “4”; and, in lines 19 and 20, strike “on the 180th day after the date it is enacted” and substitute:

“as follows:

- (i) Article 28, §§ 21-1, 21-2, and 21-4(a), as amended by this Ordinance, take effect on December 31, 2018; and

(ii) Article 15, Subtitle 48, as added by this Ordinance, and Article 1, § 40-14(e)(2), as amended by this Ordinance, take effect on December 31, 2019”.

