

HB 2569 -- RESIDENTIAL DWELLING RENTALS

SPONSOR: Frederick

This bill defines a residential dwelling rental and prohibits any political subdivision from regulating a residential dwelling rental unless the regulation serves a compelling governmental interest relating to public health and safety, the regulation is narrowly tailored to such interest, and the regulation uses the least restrictive means to achieve that interest. The bill specifically prevents political subdivisions from adopting or enforcing building code regulations solely on residential dwelling rentals.

The bill clarifies that sales taxes, tourism taxes, and other taxes on the use of hotels and motels shall also apply to guests of residential dwelling rentals. An owner, or a facilitation platform if one is used, must collect and remit any taxes a transient guest is required to pay. Any intermediary that facilitates the rental of a residential dwelling that does not meet the definition of a facilitation platform must retain records of rentals and notify transient guests that they are obligated to pay certain taxes. Some of the provisions of this bill relating to taxes and the requirements of a facilitation platform and marketing platform will not go into effect until January 1, 2019.

This bill also requires a residential dwelling renter using a facilitation platform to provide a phone number to the homeowner before the rental agreement is finalized so the homeowner can vet the renter. A facilitation platform cannot penalize a homeowner for refusing to rent to a renter for the reasons described in the bill.

The bill requires that at least two of the nine members of all lake area business district advisory boards be owners of residential dwelling rentals. This bill also changes the definition of a lodging establishment in Section 315.005, RSMo.

The bill states that a homeowners' association cannot consider a residential dwelling rental a commercial enterprise and that a homeowners' association can only ban a residential dwelling rental under certain circumstances. This bill specifies that the owner of a residential dwelling rental cannot be required to obtain a business or occupational license by any political subdivision.

This bill is similar to HB 608 and HB 988 (2017).