STATE OF NEW YORK

3906

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the general business law, in relation to requiring hosting platforms to require a short-term rental host to submit a license or permit where such host is offering a short-term rental in a municipality which requires such license or permit

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new article 40 to read as follows:

ARTICLE 40

SHORT-TERM RENTALS

Section 900. Definitions.

901. Short-term rental license or permit requirements.

§ 900. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Dwelling" means any building or structure or portion thereof which is occupied in whole or in part as the home, residence or sleeping place of one or more human beings.

2. "Short-term rental unit" means an entire dwelling unit, or a room, group of rooms, other living or sleeping space, or any other space, made available for rent by guests for less than thirty consecutive days.

3. "Short-term rental host" means an owner or tenant of a short-term rental unit who rents such unit to guests.

4. "Hosting platform" means a person or entity who, pursuant to an agreement with a short-term rental host:

(a) provides a platform for compensation through which unaffiliated third party short-term rental hosts can offer to rent short-term rental units; and

(b) collects a fee in connection with either:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(i) providing the forum in which, or by means of which, the offer of occupancy of a short-term rental unit is accepted; or

(ii) providing the forum in which a short-term rental host can list or advertise space in a short-term rental unit.

§ 901. Short-term rental license or permit requirements. A hosting platform shall require a short-term rental host who operates a short-term rental unit which is located in a municipality which requires a license or permit to operate such short-term rental unit to submit a copy of such license or permit prior to providing services to such short-term rental host.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.