

SB 69 - AS INTRODUCED

2019 SESSION

19-1027
05/10

SENATE BILL **69**

AN ACT relative to short-term rentals.

SPONSORS: Sen. Fuller Clark, Dist 21; Rep. Cushing, Rock. 21; Rep. Edgar, Rock. 21

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill defines, and enables towns to license and regulate, short-term rentals.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to short-term rentals.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section: Local Regulation of Short-Term Rentals. Amend RSA 31 by inserting after
2 section 103-a the following new section:

3 31:103-b Regulation of Short-Term Rentals. The governing body of a town may adopt, by
4 ordinance or regulation, provisions for the licensing of short-term rentals, and may charge a fee to
5 defray the cost of licensing, subject to RSA 41:9-a. For purposes of this section, "short-term rental"
6 means the rental of one or more rooms in a residential unit for occupancy for tourist or transient
7 use for less than 185 consecutive days. This section shall not be interpreted to limit a municipality's
8 authority to regulate such uses under local zoning ordinances or other local authority.

9 2 Fire Safety Measures; Inspection of Short-Term Rentals. Amend RSA 153:14, II(a) to read as
10 follows:

11 II.(a) The state fire marshal, the state fire marshal's authorized officers, or fire chief upon
12 complaint or whenever the state fire marshal, such authorized officers, or fire chief shall deem it
13 necessary, may inspect all buildings, excluding single family dwellings and multi-unit dwellings
14 containing 2 units, and premises within their jurisdiction and, if consent for such inspection is
15 denied or unobtainable, may obtain an administrative inspection warrant under RSA 595-B. ***The***
16 ***exclusion in the preceding sentence shall not apply to that part of any dwelling that is***
17 ***used as a short-term rental as defined in RSA 31:103-b.*** Whenever any of the said officers
18 shall find any condition that such officer deems to be hazardous to life or property, the officer shall
19 order the hazardous condition to be removed or remedied by written order. If such order requires a
20 structural change or alteration, it shall be approved by the state fire marshal or fire chief before it is
21 effective. Such order shall be complied with by the owner of such premises or buildings within the
22 time limit specified in such order, provided, however, that any such owner, who is aggrieved by any
23 such order, may, within 14 days after the service of such order as hereinafter provided, file a
24 petition with the superior court, praying for a review of such order. It shall be the duty of such
25 court to hear the same at the first convenient day, and to make such order in the premises as right
26 and justice may require.

27 3 Town Health Officers; Entry of Short-Term Rentals for Inspection. Amend RSA 128:5-a, II to
28 read as follows:

29 II. The authority to enter private property without the consent of the owner for
30 investigation of sanitary conditions does not include the right to enter into any living quarters
31 situated on private property. ***For purposes of this section and RSA 128:5, living quarters***

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- 1 *shall not include any part of a property that is used as a short-term rental as defined in*
- 2 *RSA 31:103-b.*
- 3 4 Effective Date. This act shall take effect 60 days after its passage.