JAN 2 2 2016

### A BILL FOR AN ACT

RELATING TO TRANSIENT OCCUPANCY.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read 2 3 as follows: "CHAPTER 4 TRANSIENT OCCUPANCY HOSTING PLATFORMS 5 -1 Definitions. For the purposes of this chapter, 6 unless the context requires otherwise: 7 8 "Department" means the department of commerce and consumer 9 affairs. "Director" means the director of commerce and consumer 10 11 affairs. 12 "Facilitating" includes the act of allowing the owner or lessee of the residential unit to offer or advertise the 13 residential unit on the internet site or website provided or 14 15 maintained by the operator of that site. 16 "Hosting platform" refers to a marketplace located on the

Internet that is created or maintained for the primary purpose

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- 1 of facilitating the rental of a residential unit that is offered
- 2 for transient occupancy for compensation to the owner or lessee
- 3 of that unit and compensation, including booking fees and
- 4 advertising revenue, to the owner or operator of the marketplace
- 5 for creating or maintaining that marketplace.
- 6 "Residential unit" shall have the same meaning as "unit",
- 7 as defined in section 514B-3, and includes a multi-family or
- 8 single-family residential unit.
- 9 "Transient occupancy" shall have the same meaning as
- 10 transient accommodations under section 237D-1.
- 11 § -2 Regulation; reporting. (a) Notwithstanding
- 12 section 26H-6 to the contrary, the director shall have the
- 13 authority to regulate owners and operators of hosting platforms
- 14 as provided in this chapter.
- 15 (b) The owner or operator of a hosting platform that
- 16 offers or advertises on the Internet a residential unit for
- 17 transient occupancy shall report annually to the department the
- 18 following information:
- 19 (1) Beginning January 1 through December 31 of the year
- 20 covered by each report, the address of each

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1		residential unit in this State that is offered for
2		transient occupancy on the hosting platform; and
3	(2)	The tax identification number of the owner or
4		operator.
5	(c)	An owner or operator of a hosting platform who fails
6	to comply	with this section shall be subject to an
7	administra	tive fine of up to \$ , which shall be
8	deposited	into the compliance resolution fund established under
9	section 26	-9(0)."
10	SECTI	ON 2. This Act shall take effect upon its approval.
11		INTRODUCED BY: Silvier  Clavener & Friedikur  Prod E Role

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### Report Tit

Hosting Platforms; DCCA; Transient Occupancy

### Description:

Requires hosting platforms that offer or advertise a residential unit on the Internet for transient occupancy to report certain information annually to the DCCA. Provides for administrative fine to be deposited into the compliance resolution fund.

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