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## DIGEST

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HB 360 Engrossed

2021 Regular Session

Travis Johnson

**Abstract:** Defines "short-term rental dwelling unit" for purposes of registering with the office of state fire marshal and prohibits the owner of a short-term rental dwelling unit from completing a booking transaction unless the unit is registered.

Proposed law defines the following terms for the purposes of proposed law: booking transaction, dwelling unit, guest, owner, platform, and short-term rental dwelling unit.

Proposed law prohibits an owner of a short-term rental dwelling unit from using a platform to complete a booking transaction unless the owner has registered the unit with the office of state fire marshal.

Proposed law requires the initial registration to be submitted electronically on forms created by the office of state fire marshal. Further, proposed law requires the owner to renew the registration either annually or every five years.

Present law authorizes the office of state fire marshal to establish and collect certain fees.

Proposed law requires the owner to pay the following fees for the initial registration and subsequent renewal:

- (1) Initial annual registration: \$5
- (2) Annual renewal: \$5
- (3) Initial 5-year registration: \$20
- (4) 5-year renewal: \$20

Proposed law establishes the following penalties for an owner in violation of proposed law:

- (1) 1st violation: warning letter
- (2) 2nd violation: civil penalty not to exceed \$500
- (3) 3rd and each subsequent violation: civil penalty not to exceed \$1,000

Proposed law authorizes the office of state fire marshal to promulgate rules and regulations necessary to implement proposed law relative to assessing and collecting fees and penalties, operating, managing, and maintaining the electronic registration system, investigating compliance with the registration requirements, and hearings.

Present law provides for rules compliance with certain building and safety codes. Proposed law retains present law.

Proposed law shall not be construed to authorize the office of state fire marshal or any other agency to inspect any real property including private residences.

Present law regulates hotels and lodging houses and certain powers and duties of the state fire marshal. Proposed law shall not be construed to apply to present law.

Proposed law provides for the deposit of all monies received by the office of state fire marshal pursuant to proposed law into the Louisiana Life Safety and Property Protection Trust Fund as provided for in present law.

(Adds R.S. 40:1584)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Clarify that the office the office of state fire marshal is authorized to promulgate rules and regulations as necessary relative to enforcing fees and penalties, operating, managing, and maintaining the electronic registration system, investigating compliance with the registration requirements, and hearings.
2. Add a provision stating that proposed law shall not be construed to authorize the office of state fire marshal to inspect any real property, including a private residence.
3. Add a provision stating that proposed law shall not be construed to apply to the regulation of certain structures already provided for in present law.