

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 7-9, 13, 20-22, 25)

(Reprinted with amendments adopted on May 26, 2021)

FIRST REPRINT

A.B. 363

ASSEMBLY BILL NO. 363—ASSEMBLYMEN NGUYEN AND ROBERTS

MARCH 22, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing transient lodging. (BDR 20-636)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to transient lodging; requiring the governing bodies of certain counties and cities to establish certain requirements relating to the rental of residential units as transient lodging; requiring certain persons to obtain an authorization for the rental of a residential unit as transient lodging; setting forth various requirements to obtain such an authorization; requiring certain accommodations facilitators to collect and remit taxes on the rental of residential units as transient lodging; revising provisions relating to the authority of a county or city to require a hosting platform to provide certain reports and information to the county or city; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the governing body of a county or city to adopt an
2 ordinance defining the term “transient lodging” for the purposes of all taxes
3 imposed by the governing body on the rental of transient lodging. (NRS 244.33565,
4 268.0195) This bill establishes various requirements that apply in a county whose
5 population is 700,000 or more (currently Clark County) and in a city in a county
6 whose population is 700,000 or more (currently Boulder City, Henderson, Las
7 Vegas, Mesquite and North Las Vegas) for: (1) a person who seeks to provide for
8 rent a residential unit or a room within a residential unit for the purposes of
9 transient lodging independently or using an accommodations facilitator; and (2) an
10 accommodations facilitator.

11 **Sections 13 and 25** of this bill require the governing body of a county whose
12 population is 700,000 or more and city in a county whose population is 700,000 or
13 more to include residential units and rooms in residential units in the definition of



14 “transient lodging” for the purposes of all taxes imposed on the rental of transient
15 lodging.

16 **Sections 7 and 20** of this bill require the governing bodies of certain counties
17 and cities to adopt an ordinance regulating: (1) the rental of a residential unit or a
18 room within a residential unit for the purposes of transient lodging; and (2)
19 accommodations facilitators.

20 **Sections 8 and 21** of this bill require, with certain exceptions, that in certain
21 counties and cities a person who makes available for rent a residential unit or a
22 room within a residential unit for purposes of transient lodging to hold: (1) an
23 authorization issued by the governing body of the county or city in which the
24 residential unit is located; and (2) a state business license.

25 **Sections 9 and 22** of this bill set forth the requirements to obtain an
26 authorization from the governing body of certain counties and cities which require
27 a person to submit an application to the governing body. The governing body may
28 hold a public hearing on the application. **Sections 9 and 22** also establish various
29 requirements for the holder of an authorization, including requirements to pay an
30 annual fee to the governing body for the authorization, designate a local
31 representative for the rental and maintain liability coverage for the residential unit.

32 **Sections 10 and 23** of this bill authorize the governing body of certain counties
33 and cities to provide in the ordinance for: (1) the suspension or revocation of an
34 authorization; (2) the imposition of civil penalties on a holder of an authorization or
35 an accommodations facilitator for a violation of the ordinance; and (3) the
36 imposition of civil penalties or fines on a person who makes available for rent a
37 residential unit or room within a residential unit without obtaining an authorization.

38 **Sections 10.5 and 23.5** of this bill provide that, with certain exceptions, the
39 governing bodies of certain counties and cities may impose additional requirements
40 on a person or accommodations facilitator related to the rental of a residential unit
41 or a room within a residential unit for purposes of transient lodging.

42 **Sections 11 and 24** of this bill provide that if an authorization is issued for the
43 rental of a residential unit or a room within a residential unit for purposes of
44 transient lodging, the governing bodies of certain counties or cities must require an
45 accommodations facilitator who brokers, coordinates, makes available or otherwise
46 arranges for the rental of the residential unit or a room or space within the
47 residential unit for the purpose of transient lodging to collect and remit to the
48 county or city, as applicable, the taxes on the rental of transient lodging imposed in
49 the county or city, as applicable. **Sections 11 and 24** further provide that: (1) such
50 an accommodations facilitator is deemed to be providing transient lodging for the
51 sole purpose of imposing, collecting and remitting the taxes on the rental of
52 transient lodging; and (2) the provisions of these sections must not be interpreted
53 to, and the governing body shall not, create, expand or alter the liabilities, duties,
54 obligations or responsibilities of the accommodations facilitator with respect to the
55 rental of the residential unit or a room within the residential unit.

56 **Sections 1.5 and 14.5** of this bill provide that **sections 1.5-11 and 14.5-24**,
57 respectively, apply to: (1) a county whose population is 700,000 or more; and (2) a
58 city in a county whose population is 700,000 or more. **Sections 1.5 and 14.5**
59 exempt from the requirements of **sections 1.5-11 and 14.5-24**, respectively, a
60 residential unit located within a building that is: (1) located on land that is not
61 zoned exclusively for residential use; and (2) owned or operated by a person or an
62 affiliate of a person holding a nonrestricted license for gaming. **Sections 3-6 and**
63 **16-19** of this bill define various terms relating to rentals for the purposes of
64 provisions governing transient lodging.

65 Existing law authorizes the governing body of a county or city to require the
66 submission of quarterly reports by: (1) an online hosting platform that facilitates
67 the rental of a residential unit or a room or space within a residential unit for the
68 purposes of transient lodging; and (2) certain owners or lessees who use hosting



69 platforms to facilitate such rentals. (NRS 244.1545, 268.0957) **Sections 12 and 26**
70 of this bill revise this requirement to require: (1) the governing body of a county
71 whose population is 700,000 or more; or (2) the governing body of a city in a
72 county whose population is 700,000 or more to require the submission of such a
73 quarterly report by an accommodations facilitator. **Sections 12 and 26** also require
74 the accommodations facilitator to provide a copy of the report to the Department of
75 Taxation.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 244 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 1.5 to 11, inclusive, of
3 this act.

4 **Sec. 1.5. 1.** *The provisions of sections 1.5 to 11, inclusive,*
5 *of this act apply to a county whose population is 700,000 or more.*

6 **2.** *The provisions of sections 1.5 to 11, inclusive, of this act do*
7 *not apply to a residential unit located within a building that is:*

8 *(a) Located on land not zoned exclusively for residential use;*
9 *and*

10 *(b) Owned or operated by a person who holds a nonrestricted*
11 *license for gaming issued pursuant to NRS 463.170 or an affiliate*
12 *of a person who holds a nonrestricted license for gaming.*

13 **3.** *As used in this section:*

14 *(a) "Affiliate" has the meaning ascribed to it in NRS 463.0133.*

15 *(b) "Nonrestricted license" has the meaning ascribed to it in*
16 *NRS 463.0177.*

17 **Sec. 2.** *As used in sections 1.5 to 11, inclusive, of this act,*
18 *unless the context otherwise requires, the words and terms defined*
19 *in sections 3 to 6, inclusive, of this act have the meanings ascribed*
20 *to them in those sections.*

21 **Sec. 3.** *"Accommodations facilitator" means a person, other*
22 *than the owner, lessee or other lawful occupant of a residential*
23 *unit, or a manager of a residential unit, who, for a fee or other*
24 *charge, brokers, coordinates, makes available or otherwise*
25 *arranges for the rental of the residential unit or a room within a*
26 *residential unit for the purpose of transient lodging. The term*
27 *includes, without limitation, a hosting platform.*

28 **Sec. 3.5.** *"Authorization" means a permit, license,*
29 *registration or any other type of approval or authorization issued*
30 *by a board of county commissioners or its designee to a person*
31 *who, independently or using an accommodations facilitator,*
32 *makes available for rent a residential unit or a room within a*
33 *residential unit for the purposes of transient lodging.*



1 **Sec. 4.** *“Hosting platform” means a person who, for a fee or*
2 *other charge, provides on an Internet website an online platform*
3 *that facilitates the rental of a residential unit or a room within a*
4 *residential unit by an owner or lessee of the residential unit for the*
5 *purposes of transient lodging, including, without limitation,*
6 *through advertising, matchmaking or other means.*

7 **Sec. 5.** *“Residential unit” means a single-family residence or*
8 *an individual residential unit within a larger building, including,*
9 *without limitation, a condominium, townhouse, duplex or other*
10 *multifamily dwelling. The term does not include a timeshare or*
11 *other property subject to the provisions of chapter 119A of NRS.*

12 **Sec. 6.** *“Transient lodging” has the meaning ascribed to it in*
13 *the ordinance adopted pursuant to NRS 244.33565 by the board of*
14 *county commissioners to define the term “transient lodging” for*
15 *the purpose of all taxes imposed by the board on the rental of*
16 *transient lodging in the county.*

17 **Sec. 7. 1.** *A board of county commissioners shall adopt and*
18 *enforce an ordinance regulating:*

19 *(a) The rental of a residential unit or a room within a*
20 *residential unit for the purposes of transient lodging in the county;*
21 *and*

22 *(b) Accommodations facilitators.*

23 **2.** *The ordinance adopted pursuant to subsection 1 must,*
24 *without limitation:*

25 *(a) Require the rental to meet the definition of “transient*
26 *lodging” set forth in the ordinance adopted pursuant to NRS*
27 *244.33565 by the board of county commissioners.*

28 *(b) Set forth the requirements for an application for an*
29 *authorization issued pursuant to section 9 of this act, including,*
30 *without limitation, designating an agency, officer or department of*
31 *the county to administer applications for authorizations.*

32 *(c) Establish the amount of:*

33 *(1) The annual fee for an authorization issued pursuant to*
34 *section 9 of this act; and*

35 *(2) The minimum liability coverage the holder of an*
36 *authorization must maintain for the residential unit.*

37 *(d) Prohibit the rental of a residential unit or a room within a*
38 *residential unit that is located in an apartment building.*

39 *(e) Prohibit the rental of a residential unit or a room within a*
40 *residential unit for less than the minimum period for the*
41 *residential unit. If the residential unit:*

42 *(1) Is owner-occupied, the minimum period for the rental is*
43 *1 night.*

44 *(2) Is not owner-occupied, the minimum period for the*
45 *rental is 2 nights.*



1 (f) Establish requirements to ensure a minimum distance:

2 (1) Of 660 feet between any residential units offered for
3 rent for the purposes of transient lodging, except for residential
4 units in a multifamily dwelling, and any other minimum
5 separation requirement the board determines is necessary; and

6 (2) Of 2,500 feet between any residential units offered for
7 rent for the purposes of transient lodging and a resort hotel, as
8 defined in NRS 463.01865.

9 (g) Establish the maximum occupancy requirements for a
10 residential unit, which may not exceed 16 persons per residential
11 unit.

12 (h) Except as otherwise provided in subsection 5, prohibit the
13 issuance of an authorization pursuant to section 9 of this act:

14 (1) If the issuance would result in more than 10 percent of
15 the residential units or rooms within the residential units in a
16 multifamily dwelling being rented for the purposes of transient
17 lodging or if the issuance would violate a prohibition against such
18 rentals or a stricter limitation established by the owner of the
19 multifamily dwelling; or

20 (2) For a residential unit or a room within a residential unit
21 that is located in a common-interest community, unless the
22 governing documents of the community expressly authorize the
23 rental of a residential unit or a room within a residential unit for
24 the purposes of transient lodging.

25 (i) Establish a maximum number of authorizations a person
26 may hold, which may not exceed five authorizations per state
27 business license.

28 (j) Establish a maximum number of authorizations that may
29 be issued for the rental of rooms within a single residential unit.

30 (k) Define "party" as a gathering of people that exceeds the
31 maximum occupancy of the residential unit established by the
32 board of county commissioners pursuant to paragraph (g) and
33 prohibit the use of the residential unit for parties, weddings, events
34 or other large gatherings.

35 (l) Establish specific requirements for noise, trash and security
36 for the rental of the residential unit or a room within the
37 residential unit for the purposes of transient lodging.

38 (m) Establish a process for a person to report violations of the
39 requirements established in the ordinance adopted pursuant to
40 subsection 1 or any other issues resulting from the rental of the
41 residential unit or a room within the residential unit for the
42 purposes of transient lodging.

43 (n) Establish a schedule of civil penalties for violations of the
44 ordinance adopted pursuant to subsection 1 by a holder of an
45 authorization and an accommodations facilitator. A civil penalty



1 *imposed pursuant to such an ordinance may not exceed \$1,000 for*
2 *a single violation or the nightly rental value of the residential unit*
3 *or room within the residential unit, whichever is greater.*

4 *3. The ordinance adopted pursuant to subsection 1 may*
5 *establish a schedule of civil penalties or fines to impose on a*
6 *person who makes available a residential unit or room within a*
7 *residential unit without holding an authorization issued pursuant*
8 *to section 9 of this act. Any such civil penalty or fine for a single*
9 *violation must not be less than \$1,000 or more than \$10,000. If the*
10 *ordinance includes a schedule of civil penalties of fines pursuant*
11 *to this subsection, the board of county commissioners must*
12 *establish standards for determining the amount of the civil penalty*
13 *or fine which take into account, without limitation:*

14 *(a) The severity of the violation;*

15 *(b) Whether the person who committed the violation acted in*
16 *good faith; and*

17 *(c) Any history of previous violations of the provisions of the*
18 *ordinance or any other ordinance related to transient lodging.*

19 *4. A board of county commissioners shall not enact or*
20 *enforce a complete prohibition on the rental of a residential unit*
21 *or a room within a residential unit for the purposes of transient*
22 *lodging. Any ordinance or regulation which is inconsistent with*
23 *this subsection is null and void and the board of county*
24 *commissioners shall repeal any such ordinance or regulation.*

25 **Sec. 8. 1.** *Except as otherwise provided in subsection 5 of*
26 *section 7 of this act, every person who makes available for rent a*
27 *residential unit or a room within a residential unit for the*
28 *purposes of transient lodging in a county must hold:*

29 *(a) An authorization issued pursuant to section 9 of this act by*
30 *the board of county commissioners of the county in which the*
31 *transient lodging is located or its designee; and*

32 *(b) A state business license.*

33 *2. The authorization and the state business license held by*
34 *the person must be displayed in the residential unit and both the*
35 *authorization number assigned by the county and the business*
36 *identification number assigned by the Secretary of State pursuant*
37 *to chapter 76 of NRS must be included in any listing or*
38 *advertisement for the rental of the residential unit or a room*
39 *within the residential unit, including any listing or advertisement*
40 *created by an accommodations facilitator.*

41 *3. Upon the request of a board of county commissioners or its*
42 *designee, an accommodations facilitator shall report all current*
43 *listings of a residential unit or a room within a residential unit*
44 *that the accommodations facilitator brokers, coordinates, makes*



1 *available or otherwise arranges for the rental of for the purpose of*
2 *transient lodging.*

3 *4. A board of county commissioners or its designee may*
4 *require an accommodations facilitator to verify that a residential*
5 *unit or room within a residential unit has been issued an*
6 *authorization pursuant to section 9 of this act before the*
7 *accommodations facilitator may broker, coordinate, make*
8 *available or otherwise arrange for the rental of a residential unit*
9 *or a room within a residential unit for a fee.*

10 **Sec. 9. 1.** *Except as otherwise provided in subsection 5 of*
11 *section 7 of this act, a person who wishes to offer for rent a*
12 *residential unit or a room within a residential unit for the*
13 *purposes of transient lodging independently or using an*
14 *accommodations facilitator must file a written application for an*
15 *authorization with the agency, officer or department designated by*
16 *the board of county commissioners in the ordinance and in the*
17 *form set forth in the ordinance adopted pursuant to section 7 of*
18 *this act.*

19 *2. Upon receipt of an application for an authorization, the*
20 *board of county commissioners may hold a public hearing on the*
21 *application.*

22 *3. Before granting, denying or renewing an authorization,*
23 *the board of county commissioners or its designee may conduct*
24 *any necessary health, safety or fire inspection of the residential*
25 *unit. The costs of any inspection must be paid by the applicant.*

26 *4. The board of county commissioners or its designee may*
27 *grant or deny the authorization. If the board of county*
28 *commissioners or its designee grants an authorization, the board*
29 *or its designee, as applicable, shall include such terms and*
30 *conditions for the rental of the residential unit or a room within*
31 *the residential unit for the purposes of transient lodging that the*
32 *board or its designee deems necessary for the health and safety of*
33 *the residents of the county. The conditions imposed by the board*
34 *or designee must include, without limitation, provisions stipulating*
35 *that the holder of the authorization is subject to the oversight and*
36 *enforcement authority of the county and the local health*
37 *authority, law enforcement agency and fire department having*
38 *jurisdiction in the county.*

39 *5. A person who is granted an authorization pursuant to this*
40 *section must, without limitation:*

41 *(a) Pay an annual fee for the authorization in an amount*
42 *established in the ordinance adopted by the board of county*
43 *commissioners pursuant to section 7 of this act. The board of*
44 *county commissioners may increase the annual fee in an*
45 *amendment to the ordinance.*



1 (b) Maintain insurance which identifies that the property is
2 used for transient lodging with a minimum liability coverage in an
3 amount set forth in the ordinance adopted pursuant to section 7 of
4 this act.

5 (c) Have a designated local representative who is responsible
6 for the rental and available 24 hours a day, seven days a week to
7 respond to any issues relating to the residential unit.

8 (d) Include educational information in the residential unit for
9 any renters, which must include, without limitation, the occupancy
10 limitations for the residential units, emergency telephone
11 numbers, the telephone number of the designated local
12 representative, safety information, trash requirements, parking
13 rules and noise regulations.

14 (e) Ensure that the address of the residential unit is clearly
15 visible from the roadway.

16 (f) Maintain the residential unit in a safe and hazard-free
17 condition, including, without limitation, all mechanical, electrical
18 and plumbing systems within the residential unit.

19 (g) Ensure that the residential unit is equipped with a fire
20 extinguisher, a smoke alarm or detector and a carbon monoxide
21 alarm or detector.

22 **Sec. 10.** In accordance with the ordinance adopted pursuant
23 to section 7 of this act, a board of county commissioners or its
24 designee may:

25 1. Suspend or revoke any authorization issued pursuant to
26 section 9 of this act for any violation of the ordinance;

27 2. Impose a civil penalty on the holder of an authorization or
28 an accommodations facilitator for a violation of any provision of
29 the ordinance in accordance with the schedule of civil penalties set
30 forth in the ordinance; and

31 3. Impose a civil penalty or fine on a person who makes
32 available a residential unit or a room within a residential unit
33 without holding an authorization issued pursuant to section 9 of
34 this act in accordance with the schedule of civil penalties or fines
35 set forth in the ordinance, if any.

36 **Sec. 10.5.** 1. Except as otherwise provided in subsection 2,
37 a board of county commissioners may impose additional
38 requirements on a person or accommodations facilitator related to
39 the rental of a residential unit or a room within a residential unit
40 for purposes of transient lodging that are more restrictive than the
41 provisions of sections 1.5 to 11, inclusive, of this act.

42 2. A board of county commissioners shall not enact or
43 enforce a complete prohibition on the rental of a residential unit
44 or a room within a residential unit for the purposes of transient
45 lodging.



1 3. A board of county commissioners may impose a civil
2 penalty or fine on a person or accommodations facilitator for a
3 violation of any additional requirement imposed on a person or
4 accommodations facilitator pursuant to subsection 1.

5 **Sec. 11. 1.** Notwithstanding any other provision of law, if
6 the board of county commissioners or its designee issues an
7 authorization pursuant to section 9 of this act to authorize an
8 owner, lessee or other lawful occupant of a residential unit or a
9 room within a residential unit located in the county, or a manager
10 of such a residential unit, to rent the residential unit or a room
11 within the residential unit for the purpose of transient lodging:

12 (a) The board of county commissioners shall require an
13 accommodations facilitator who brokers, coordinates, makes
14 available or otherwise arranges for the rental of a residential unit
15 or a room within a residential unit in the county for the purpose of
16 transient lodging to collect and remit to the county all taxes
17 imposed on the gross receipts from the rental of the residential
18 unit or a room within the residential unit in the county for the
19 purpose of transient lodging; and

20 (b) An accommodations facilitator who brokers, coordinates,
21 makes available or otherwise arranges for the rental of a
22 residential unit or a room within a residential unit in the county
23 for the purpose of transient lodging must be deemed to be engaged
24 in the business of providing transient lodging in the county and to
25 be the person providing the transient lodging.

26 2. For the purposes of paragraph (b) of subsection 1, the
27 accommodations facilitator shall be deemed to be engaged in the
28 business of providing transient lodging and to be the person
29 providing the transient lodging solely for the purposes of
30 imposing, collecting and remitting all taxes on the gross receipts
31 from the rental of transient lodging. The provisions of this section
32 must not be interpreted or construed to, and a board of county
33 commissioners shall not, create, expand or alter any other liability,
34 duty, obligation or responsibility of the accommodations facilitator
35 for, or relating to, the residential unit or a room within the
36 residential unit.

37 **Sec. 12.** NRS 244.1545 is hereby amended to read as follows:

38 244.1545 1. The board of county commissioners ~~may~~:

39 (a) In a county whose population is 700,000 or more shall
40 adopt an ordinance requiring ~~to~~:

41 ~~—(a) A hosting platform~~ an accommodations facilitator that
42 facilitates the rental of a residential unit in the county or a room ~~for~~
43 ~~space~~ within such a residential unit for the purposes of transient
44 lodging to submit a quarterly report to an agency of the county of



1 the information required by subsection 2 that is collected by the
2 ~~hosting platform.~~ accommodations facilitator.

3 (b) ~~An~~ *In a county whose population is less than 700,000*
4 *may adopt an ordinance requiring an accommodations facilitator*
5 *that facilitates the rental of a residential unit in the county or a*
6 *room within such a residential unit for the purposes of transient*
7 *lodging to submit a quarterly report to an agency of the county of*
8 *the information required by subsection 2 that is collected by the*
9 *accommodations facilitator.*

10 (c) *May adopt an ordinance requiring an* owner or lessee
11 which uses ~~a hosting platform~~ *an accommodations facilitator* that
12 facilitates the rental of a residential unit in the county or a room ~~or~~
13 ~~space~~ within such a residential unit for the purposes of transient
14 lodging to submit a quarterly report to an agency of the county of
15 any information required by subsection 2 regarding the rental that is
16 not collected by the ~~hosting platform.~~ accommodations facilitator.

17 2. The report required by subsection 1 must state, for the
18 quarter:

19 (a) The number of bookings, listings, owners and lessees for the
20 county;

21 (b) The average number of bookings per listing for the county;

22 (c) Current year-to-date booking value for the county;

23 (d) Current year-to-date revenue collected from all rentals
24 through the ~~hosting platform~~ accommodations facilitator in the
25 county, disaggregated by owner or lessee; and

26 (e) The average length of a rental in the county.

27 3. *An accommodations facilitator that submits the report*
28 *required by subsection 1 shall provide a copy of the report to the*
29 *Department of Taxation on a quarterly basis.*

30 4. An ordinance adopted pursuant to subsection 1 must
31 authorize an agency of the county to issue subpoenas for the
32 production of documents, records or materials relevant for
33 determining whether a residential unit in the county or a room ~~or~~
34 ~~space~~ within such a residential unit has been rented in violation of
35 any law of this State or an ordinance adopted by the board of county
36 commissioners of the county. The ordinance must provide that such
37 a subpoena may be issued only if:

38 (a) There is evidence sufficient to support a reasonable belief
39 that a residential unit in the county or a room ~~or space~~ within such
40 a residential unit has been rented or is being rented in violation of
41 any law of this State or an ordinance adopted by the board of county
42 commissioners of the county; and

43 (b) The subpoena identifies the rental alleged to be in violation
44 of any law of this State or an ordinance adopted by the board of



1 county commissioners of the county and the provision of law or
2 ordinance allegedly violated.

3 ➔ A subpoena issued pursuant to the ordinance must be mailed by
4 regular and certified mail to the ~~hosting platform~~ accommodations
5 *facilitator* or, if applicable, the owner or lessee who was required to
6 file a quarterly report regarding the rental pursuant to the ordinance.

7 ~~[4.]~~ 5. An ordinance adopted pursuant to subsection 1 must
8 require:

9 (a) ~~[A hosting platform]~~ *An accommodations facilitator* to
10 whom a subpoena has been issued pursuant to the ordinance to:

11 (1) Provide notice of the subpoena to the user of the ~~hosting~~
12 ~~platform~~ *accommodations facilitator* who provided the rental
13 identified in the subpoena.

14 (2) Produce any subpoenaed books, papers or documents not
15 later than 21 days after providing the notice required by
16 subparagraph (1) unless otherwise ordered by a court.

17 (b) An owner or lessee of a rental to whom a subpoena has been
18 issued pursuant to the ordinance to produce any subpoenaed books,
19 papers or documents not later than 21 days after the issuance of the
20 subpoena, unless otherwise ordered by a court.

21 ~~[5.]~~ 6. If a person to whom a subpoena has been issued
22 pursuant to an ordinance adopted pursuant to subsection 1 refuses to
23 produce any document, record or material that the subpoena
24 requires, the agency of the county issuing the subpoena may apply
25 to the district court for the judicial district in which the county is
26 located for the enforcement of the subpoena in the manner provided
27 by law for the enforcement of a subpoena in a civil action.

28 ~~[6.]~~ 7. As used in this section:

29 (a) *“Accommodations facilitator” has the meaning ascribed to*
30 *it in section 3 of this act.*

31 (b) ~~“Hosting platform” [means a person who, for a fee or other~~
32 ~~charge, provides on an Internet website an online platform that~~
33 ~~facilitates the rental of a residential unit or a room or space within a~~
34 ~~residential unit by an owner or lessee of the residential unit for the~~
35 ~~purposes of transient lodging, including, without limitation, through~~
36 ~~advertising, matchmaking or other means.~~

37 ~~—(b)] has the meaning ascribed to it in section 4 of this act.~~

38 (c) ~~“Residential unit” [means a single family residence or an~~
39 ~~individual residential unit within a larger building, including,~~
40 ~~without limitation, an apartment, condominium, townhouse or~~
41 ~~duplex. The term does not include a timeshare or other property~~
42 ~~subject to the provisions of chapter 119A of NRS.] has the meaning~~
43 *ascribed to it in section 5 of this act.*



1 **Sec. 13.** NRS 244.33565 is hereby amended to read as
2 follows:

3 244.33565 1. Each board of county commissioners shall
4 adopt an ordinance that defines the term “transient lodging” for the
5 purposes of all taxes imposed by the board on the rental of transient
6 lodging. The ordinance must specify the types of lodging to which
7 the taxes apply.

8 2. The definition adopted by the board :

9 (a) *In a county whose population is 700,000 or more, must*
10 *include residential units and rooms in residential units; and ~~may~~*

11 (b) *May* include rooms or spaces in any one or more of the
12 following:

13 ~~(a)~~ (1) Hotels;

14 ~~(b)~~ (2) Motels;

15 ~~(c)~~ (3) Apartments;

16 ~~(d)~~ (4) Time-share projects, except when an owner of a unit in
17 the time-share project who has a right to use or occupy the unit is
18 occupying the unit pursuant to a time-share instrument as defined in
19 NRS 119A.150;

20 ~~(e)~~ (5) Apartment hotels;

21 ~~(f)~~ (6) Vacation trailer parks;

22 ~~(g)~~ (7) Campgrounds;

23 ~~(h)~~ (8) Parks for recreational vehicles; and

24 ~~(i)~~ (9) Any other establishment that rents rooms or spaces to
25 temporary or transient guests.

26 3. The board may provide one or more different definitions
27 pursuant to subsection 1 for different jurisdictions within the county
28 in which the taxes are collected. Unless the governing body of the
29 governmental entity that collects the taxes consents by majority vote
30 to a change, each definition must be consistent with the past
31 practices of the specific jurisdiction in which the taxes are collected.

32 4. *As used in this section, “residential unit” has the meaning*
33 *ascribed to it in section 5 of this act.*

34 **Sec. 14.** Chapter 268 of NRS is hereby amended by adding
35 thereto the provisions set forth as sections 14.5 to 24, inclusive, of
36 this act.

37 **Sec. 14.5. 1.** *The provisions of sections 14.5 to 24,*
38 *inclusive, of this act apply to a city in a county whose population is*
39 *700,000 or more.*

40 2. *The provisions of sections 14.5 to 24, inclusive, of this act*
41 *do not apply to a residential unit located within a building that is:*

42 (a) *Located on land not zoned exclusively for residential use;*
43 *and*



1 (b) *Owned or operated by a person who holds a nonrestricted*
2 *license for gaming issued pursuant to NRS 463.170 or an affiliate*
3 *of a person who holds a nonrestricted license for gaming.*

4 3. *As used in this section:*

5 (a) *“Affiliate” has the meaning ascribed to it in NRS 463.0133.*

6 (b) *“Nonrestricted license” has the meaning ascribed to it in*
7 *NRS 463.0177.*

8 **Sec. 15.** *As used in sections 14.5 to 24, inclusive, of this act,*
9 *unless the context otherwise requires, the words and terms defined*
10 *in sections 16 to 19, inclusive, of this act have the meanings*
11 *ascribed to them in those sections.*

12 **Sec. 16.** *“Accommodations facilitator” means a person,*
13 *other than the owner, lessee or other lawful occupant of a*
14 *residential unit, or a manager of a residential unit, who, for a fee*
15 *or other charge, brokers, coordinates, makes available or*
16 *otherwise arranges for the rental of the residential unit or a room*
17 *within a residential unit for the purpose of transient lodging. The*
18 *term includes, without limitation, a hosting platform.*

19 **Sec. 16.5.** *“Authorization” means a permit, license,*
20 *registration or any other type of approval or authorization issued*
21 *by a city council or other governing body of an incorporated city*
22 *or its designee to a person who, independently or using an*
23 *accommodations facilitator, makes available for rent a residential*
24 *unit or a room within a residential unit for the purposes of*
25 *transient lodging.*

26 **Sec. 17.** *“Hosting platform” means a person who, for a fee*
27 *or other charge, provides on an Internet website an online*
28 *platform that facilitates the rental of a residential unit or a room*
29 *within a residential unit by an owner or lessee of the residential*
30 *unit for the purposes of transient lodging, including, without*
31 *limitation, through advertising, matchmaking or other means.*

32 **Sec. 18.** *“Residential unit” means a single-family residence*
33 *or an individual residential unit within a larger building,*
34 *including, without limitation, a condominium, townhouse, duplex*
35 *or other multifamily dwelling. The term does not include a*
36 *timeshare or other property subject to the provisions of chapter*
37 *119A of NRS.*

38 **Sec. 19.** *“Transient lodging” has the meaning ascribed to it*
39 *in the ordinance adopted pursuant to NRS 268.0195 by the city*
40 *council or other governing body of an incorporated city to define*
41 *the term “transient lodging” for the purpose of all taxes imposed*
42 *by the city council or other governing body on the rental of*
43 *transient lodging in the incorporated city.*

44 **Sec. 20.** 1. *A city council or other governing body of an*
45 *incorporated city shall adopt and enforce an ordinance regulating:*



1 (a) *The rental of a residential unit or a room within a*
2 *residential unit for the purposes of transient lodging in the*
3 *incorporated city; and*

4 (b) *Accommodations facilitators.*

5 2. *The ordinance adopted pursuant to subsection 1 must,*
6 *without limitation:*

7 (a) *Require the rental to meet the definition of “transient*
8 *lodging” set forth in the ordinance adopted pursuant to NRS*
9 *268.0195 by the city council or other governing body of an*
10 *incorporated city.*

11 (b) *Set forth the requirements for an application for an*
12 *authorization issued pursuant to section 22 of this act, including,*
13 *without limitation, designating an agency, officer or department of*
14 *the incorporated city to administer applications for authorizations.*

15 (c) *Establish the amount of:*

16 (1) *The annual fee for an authorization issued pursuant to*
17 *section 22 of this act; and*

18 (2) *The minimum liability coverage the holder of an*
19 *authorization must maintain for the residential unit.*

20 (d) *Prohibit the rental of a residential unit or a room within a*
21 *residential unit that is located in an apartment building.*

22 (e) *Prohibit the rental of a residential unit or a room within a*
23 *residential unit for less than the minimum period for the*
24 *residential unit. If the residential unit:*

25 (1) *Is owner-occupied, the minimum period for the rental is*
26 *1 night.*

27 (2) *Is not owner-occupied, the minimum period for the*
28 *rental is 2 nights.*

29 (f) *Establish requirements to ensure a minimum distance:*

30 (1) *Of 660 feet between any residential units offered for*
31 *rent for the purposes of transient lodging, except for residential*
32 *units in a multifamily dwelling, and any other minimum*
33 *separation requirement the city council or other governing body of*
34 *the incorporated city, as applicable, determines is necessary; and*

35 (2) *Of 2,500 feet between any residential units offered for*
36 *rent for the purposes of transient lodging and a resort hotel, as*
37 *defined in NRS 463.01865.*

38 (g) *Establish the maximum occupancy requirements for a*
39 *residential unit, which may not exceed more than 16 persons per*
40 *residential unit.*

41 (h) *Except as otherwise provided in subsection 5, prohibit the*
42 *issuance of an authorization pursuant to section 22 of this act:*

43 (1) *If the issuance would result in more than 10 percent of*
44 *the residential units or rooms within the residential units in a*
45 *multifamily dwelling being rented for the purposes of transient*



1 *lodging or if the issuance would violate a prohibition against such*
2 *rentals or a stricter limitation established by the owner of the*
3 *multifamily dwelling; or*

4 (2) *For a residential unit or a room within a residential unit*
5 *that is located in a common-interest community, unless the*
6 *governing documents of the community expressly authorize the*
7 *rental of a residential unit or a room within a residential unit for*
8 *the purposes of transient lodging.*

9 (i) *Establish a maximum number of authorizations a person*
10 *may hold, which may not exceed five authorizations per state*
11 *business license.*

12 (j) *Establish a maximum number of authorizations that may*
13 *be issued for the rental of rooms within a single residential unit.*

14 (k) *Define "party" as a gathering of people that exceeds the*
15 *maximum occupancy of the residential unit established by the city*
16 *council or governing body of the incorporated city pursuant to*
17 *paragraph (g) and prohibit the use of the residential unit for*
18 *parties, weddings, events or other large gatherings.*

19 (l) *Establish specific requirements for noise, trash and security*
20 *for the rental of the residential unit or a room within the*
21 *residential unit for the purposes of transient lodging.*

22 (m) *Establish a process for a person to report violations of the*
23 *requirements established in the ordinance adopted pursuant to*
24 *subsection 1 or any other issues resulting from the rental of the*
25 *residential unit or a room within the residential unit for the*
26 *purposes of transient lodging.*

27 (n) *Establish a schedule of civil penalties for violations of the*
28 *ordinance adopted pursuant to subsection 1 by a holder of an*
29 *authorization and an accommodations facilitator. A civil penalty*
30 *imposed pursuant to such an ordinance may not exceed \$1,000 for*
31 *a single violation or the nightly rental value of the residential unit*
32 *or room within the residential unit, whichever is greater.*

33 3. *The ordinance adopted pursuant to subsection 1 may*
34 *establish a schedule of civil penalties or fines to impose on a*
35 *person who makes available a residential unit or room within a*
36 *residential unit without holding an authorization issued pursuant*
37 *to section 22 of this act. Any such civil penalty or fine for a single*
38 *violation must not be less than \$1,000 or more than \$10,000. If the*
39 *ordinance includes a schedule of civil penalties of fines pursuant*
40 *to this subsection, the city council or other governing body of an*
41 *incorporated city must establish standards for determining the*
42 *amount of the civil penalty or fine which take into account,*
43 *without limitation:*

44 (a) *The severity of the violation;*



1 (b) Whether the person who committed the violation acted in
2 good faith; and

3 (c) Any history of previous violations of the provisions of the
4 ordinance or any other ordinance related to transient lodging.

5 4. The city council or other governing body of an
6 incorporated city shall not enact or enforce a complete prohibition
7 on the rental of a residential unit or a room within a residential
8 unit for the purposes of transient lodging. Any ordinance or
9 regulation which is inconsistent with this subsection is null and
10 void and the city council or other governing body of an
11 incorporated city shall repeal any such ordinance or regulation.

12 5. The ordinance adopted pursuant to subsection 1 must
13 allow any person who has been lawfully issued a permit, license,
14 registration or any other form of authorization from the city
15 council or other governing body of the incorporated city or its
16 designee before January 1, 2022, to make available for rent a
17 residential unit or a room within a residential unit for the
18 purposes of transient lodging to continue to operate under his or
19 her original authorization and any subsequent authorizations
20 issued by the city council or other governing body of the
21 incorporated city or its designee despite any provisions of the
22 ordinance which may conflict with the location or type of
23 residential unit, including, without limitation, any requirements
24 adopted by the ordinance for the minimum distance between
25 residential units. The provisions of this subsection apply only to
26 the original holder of a permit, license, registration or other form
27 of authorization and do not transfer to subsequent owners or
28 occupants of a residential unit or room within a residential unit.

29 **Sec. 21. 1.** Except as otherwise provided in subsection 5 of
30 section 20 of this act, every person who makes available for rent a
31 residential unit or a room within a residential unit for the
32 purposes of transient lodging in an incorporated city must hold:

33 (a) An authorization issued pursuant to section 22 of this act
34 by the city council or other governing body of the incorporated city
35 or its designee in which the transient lodging is located; and

36 (b) A state business license.

37 2. The authorization and the state business license held by
38 the person must be displayed in the residential unit and both the
39 authorization number issued by the incorporated city and the
40 business identification number assigned by the Secretary of State
41 pursuant to chapter 76 of NRS must be included in any listing or
42 advertisement for the rental of the residential unit or a room
43 within the residential unit, including any listing or advertisement
44 created by an accommodations facilitator.



1 3. Upon the request of a city council or other governing body
2 of an incorporated city or its designee, an accommodations
3 facilitator shall report all current listings of a residential unit or a
4 room within a residential unit that the accommodations facilitator
5 brokers, coordinates, makes available or otherwise arranges for
6 the rental of for the purpose of transient lodging.

7 4. A city council or other governing body of an incorporated
8 city or its designee may require an accommodations facilitator to
9 verify that a residential unit or room within a residential unit has
10 been issued an authorization pursuant to section 22 of this act
11 before the accommodations facilitator may broker, coordinate,
12 make available or otherwise arrange for the rental of a residential
13 unit or a room within a residential unit for a fee.

14 **Sec. 22.** 1. Except as otherwise provided in subsection 5 of
15 section 20 of this act, a person who wishes to offer for rent a
16 residential unit or a room within a residential unit for the
17 purposes of transient lodging in this State independently or using
18 an accommodations facilitator must file a written application for
19 an authorization with the agency, officer or department designated
20 by the city council or other governing body of an incorporated city
21 in the ordinance and in the form set forth in the ordinance
22 adopted pursuant to section 20 of this act.

23 2. Upon receipt of an application for an authorization, the
24 city council or other governing body of an incorporated city may
25 hold a public hearing on the application.

26 3. Before granting, denying or renewing an authorization,
27 the city council or other governing body of the incorporated city or
28 its designee, as applicable, may conduct any necessary health,
29 safety or fire inspection of the residential unit. The costs of any
30 inspection must be paid by the applicant.

31 4. The city council or other governing body of the
32 incorporated city or its designee, as applicable, may grant or deny
33 the authorization. If the city council or governing body or its
34 designee grants an authorization, the city council or governing
35 body or its designee, as applicable, shall include such terms and
36 conditions for the rental of the residential unit or a room within
37 the residential unit for the purposes of transient lodging that the
38 city council or governing body or its designee deems necessary for
39 the health and safety of the residents of the incorporated city. The
40 conditions imposed by the city council or governing body or its
41 designee, as applicable, must include, without limitation,
42 provisions stipulating that the holder of the authorization is
43 subject to the oversight and enforcement authority of the city and
44 the local health authority, law enforcement agency and fire
45 department having jurisdiction in the city.



1 5. A person who is granted an authorization pursuant to this
2 section must, without limitation:

3 (a) Pay an annual fee for the authorization in an amount
4 established in the ordinance adopted by the city council or other
5 governing body of the incorporated city pursuant to section 20 of
6 this act. The city council or governing body, as applicable, may
7 increase the annual fee in an amendment to the ordinance.

8 (b) Maintain insurance which identifies that the property is
9 used for transient lodging with a minimum liability coverage in an
10 amount set forth in the ordinance adopted pursuant to section 20
11 of this act.

12 (c) Have a designated local representative who is responsible
13 for the rental and available 24 hours a day, seven days a week to
14 respond to any issues relating to the residential unit.

15 (d) Include educational information in the residential unit for
16 any renters, which must include, without limitation, the occupancy
17 limitations for the residential unit, emergency telephone numbers,
18 the telephone number of the designated local representative, safety
19 information, trash requirements, parking rules and noise
20 regulations.

21 (e) Ensure that the address of the residential unit is clearly
22 visible from the roadway.

23 (f) Maintain the residential unit in a safe and hazard-free
24 condition, including, without limitation, all mechanical, electrical
25 and plumbing systems within the residential unit.

26 (g) Ensure that the residential unit is equipped with a fire
27 extinguisher, a smoke alarm or detector and a carbon monoxide
28 alarm or detector.

29 **Sec. 23.** In accordance with the ordinance adopted pursuant
30 to section 20 of this act, the city council or other governing body of
31 an incorporated city or its designee may:

32 1. Suspend or revoke any authorization issued pursuant to
33 section 22 of this act;

34 2. Impose a civil penalty on the holder of an authorization or
35 an accommodations facilitator for a violation of any provision of
36 the ordinance in accordance with the schedule of civil penalties set
37 forth in the ordinance; and

38 3. Impose a civil penalty or fine on a person who makes
39 available a residential unit or a room within a residential unit
40 without holding an authorization issued pursuant to section 20 of
41 this act in accordance with the schedule of civil penalties or fines
42 set forth in the ordinance, if any.

43 **Sec. 23.5.** 1. Except as otherwise provided in subsection 2,
44 a city council or other governing body of an incorporated city may
45 impose additional requirements on a person or accommodations



1 *facilitator related to the rental of a residential unit or a room*
2 *within a residential unit for purposes of transient lodging that are*
3 *more restrictive than the provisions of sections 14.5 to 24,*
4 *inclusive of this act.*

5 2. *A city council or other governing body of an incorporated*
6 *city shall not:*

7 (a) *Enact or enforce a complete prohibition on the rental of a*
8 *residential unit or a room within a residential unit for the*
9 *purposes of transient lodging; or*

10 (b) *Prohibit a person who has been lawfully issued a permit,*
11 *license, registration or any other form of authorization from the*
12 *city council or other governing body of an incorporated city or its*
13 *designee before January 1, 2022, from continuing to operate*
14 *under his or her original authorization and any subsequent*
15 *authorizations issued by the city council or other governing body*
16 *of an incorporated city or its designee.*

17 3. *A board of county commissioners may impose a civil*
18 *penalty or fine on a person or accommodations facilitator for a*
19 *violation of any additional requirement imposed on a person or*
20 *accommodations facilitator pursuant to subsection 1.*

21 **Sec. 24. 1.** *Notwithstanding any other provision of law, if*
22 *the city council or other governing body of an incorporated city or*
23 *its designee issues an authorization pursuant to section 22 of this*
24 *act to authorize an owner, lessee or other lawful occupant of a*
25 *residential unit or a room within a residential unit located in the*
26 *incorporated city, or a manager of such a residential unit, to rent*
27 *the residential unit or a room within the residential unit for the*
28 *purpose of transient lodging:*

29 (a) *The city council or other governing body of the*
30 *incorporated city, as applicable, shall require an accommodations*
31 *facilitator who brokers, coordinates, makes available or otherwise*
32 *arranges for the rental of a residential unit or a room within a*
33 *residential unit in the incorporated city for the purpose of*
34 *transient lodging to collect and remit to the incorporated city all*
35 *taxes imposed on the gross receipts from the rental of the*
36 *residential unit or a room within the residential unit in the*
37 *incorporated city for the purpose of transient lodging; and*

38 (b) *An accommodations facilitator who brokers, coordinates,*
39 *makes available or otherwise arranges for the rental of a*
40 *residential unit or a room within a residential unit in the*
41 *incorporated city for the purpose of transient lodging must be*
42 *deemed to be engaged in the business of providing transient*
43 *lodging in the incorporated city and to be the person providing the*
44 *transient lodging.*



1 **2. For the purposes of paragraph (b) of subsection 1, the**
2 **accommodations facilitator shall be deemed to be engaged in the**
3 **business of providing transient lodging and to be the person**
4 **providing the transient lodging solely for the purposes of**
5 **imposing, collecting and remitting all taxes on the gross receipts**
6 **from the rental of transient lodging. The provisions of this section**
7 **must not be interpreted or construed to, and the city council or**
8 **other governing body of an incorporated city shall not, create,**
9 **expand or alter any other liability, duty, obligation or**
10 **responsibility of the accommodations facilitator for, or relating to,**
11 **the residential unit or a room within the residential unit.**

12 **Sec. 25.** NRS 268.0195 is hereby amended to read as follows:

13 268.0195 1. The governing body of each city shall adopt an
14 ordinance that defines the term “transient lodging” for the purposes
15 of all taxes imposed by the governing body on the rental of transient
16 lodging. The ordinance must specify the types of lodging to which
17 the taxes apply.

18 2. The definition adopted by the governing body :

19 **(a) Of a city in a county whose population is 700,000 or more**
20 **must include residential units and rooms in residential units; and**
21 ~~may~~

22 **(b) May** include rooms or spaces in any one or more of the
23 following:

24 ~~(a)~~ **(1)** Hotels;

25 ~~(b)~~ **(2)** Motels;

26 ~~(c)~~ **(3)** Apartments;

27 ~~(d)~~ **(4)** Time-share projects, except when an owner of a unit in
28 the time-share project who has a right to use or occupy the unit is
29 occupying the unit pursuant to a time-share instrument as defined in
30 NRS 119A.150;

31 ~~(e)~~ **(5)** Apartment hotels;

32 ~~(f)~~ **(6)** Vacation trailer parks;

33 ~~(g)~~ **(7)** Campgrounds;

34 ~~(h)~~ **(8)** Parks for recreational vehicles; and

35 ~~(i)~~ **(9)** Any other establishment that rents rooms or spaces to
36 temporary or transient guests.

37 3. **As used in this section, “residential unit” has the meaning**
38 **ascribed to it in section 18 of this act.**

39 **Sec. 26.** NRS 268.0957 is hereby amended to read as follows:

40 268.0957 1. The city council or other governing body of an
41 incorporated city ~~may~~ :

42 **(a) In a county whose population is 700,000 or more shall**
43 **adopt an ordinance requiring ~~f~~:**

44 ~~(a) A hosting platform~~ **an accommodations facilitator** that
45 facilitates the rental of a residential unit in the incorporated city or a



1 room or space within such a residential unit for the purposes of
2 transient lodging to submit a quarterly report to an agency of the
3 incorporated city of the information required by subsection 2 that is
4 collected by the ~~hosting platform.~~ accommodations facilitator.

5 (b) ~~Am~~ *In a county whose population is less than 700,000*
6 *may adopt an ordinance requiring an accommodations facilitator*
7 *that facilitates the rental of a residential unit in the county or a*
8 *room within such a residential unit for the purposes of transient*
9 *lodging to submit a quarterly report to an agency of the city of the*
10 *information required by subsection 2 that is collected by the*
11 *accommodations facilitator.*

12 (c) *May adopt an ordinance requiring an* owner or lessee
13 which uses ~~a hosting platform~~ *an accommodations facilitator* that
14 facilitates the rental of a residential unit in the county or a room ~~for~~
15 ~~space~~ within such a residential unit for the purposes of transient
16 lodging to submit a quarterly report to an agency of the incorporated
17 city of any information required by subsection 2 regarding the rental
18 that is not collected by the ~~hosting platform.~~ accommodations
19 *facilitator.*

20 2. The report required by subsection 1 must state, for the
21 quarter:

22 (a) The number of bookings, listings, owners and lessees for the
23 incorporated city;

24 (b) The average number of bookings per listing for the
25 incorporated city;

26 (c) Current year-to-date booking value for the incorporated city;

27 (d) Current year-to-date revenue collected from all rentals
28 through the ~~hosting platform~~ accommodations facilitator in the
29 incorporated city, disaggregated by owner or lessee; and

30 (e) The average length of a rental in the incorporated city.

31 3. *An accommodations facilitator that submits the report*
32 *required by subsection 1 shall provide a copy of the report to the*
33 *Department of Taxation on a quarterly basis.*

34 4. An ordinance adopted pursuant to subsection 1 must
35 authorize an agency of the incorporated city to issue subpoenas for
36 the production of documents, records or materials relevant for
37 determining whether a residential unit in the incorporated city or a
38 room ~~for space~~ within such a residential unit has been rented in
39 violation of any law of this State or an ordinance adopted by the city
40 council or governing body of the incorporated city. The ordinance
41 must provide that such a subpoena may be issued only if:

42 (a) There is evidence sufficient to support a reasonable belief
43 that a residential unit in the incorporated city or a room ~~for space~~
44 within a residential unit has been rented or is being rented in



1 violation of any law of this State or an ordinance adopted by the city
2 council or governing body of the incorporated city;

3 (b) The subpoena identifies the rental alleged to be in violation
4 of any law of this State or an ordinance adopted by the city council
5 or governing body of the incorporated city and the provision of law
6 or ordinance allegedly violated.

7 ↪ A subpoena issued pursuant to the ordinance must be mailed by
8 regular and certified mail to the ~~hosting platform~~ *accommodations*
9 *facilitator* or, if applicable, the owner or lessee who was required to
10 file a quarterly report regarding the rental pursuant to the ordinance.

11 ~~[4.]~~ 5. An ordinance adopted pursuant to subsection 1 must
12 require:

13 (a) ~~[A hosting platform]~~ *An accommodations facilitator* to
14 whom a subpoena has been issued to:

15 (1) Provide notice of the subpoena to the user of the ~~hosting~~
16 ~~platform~~ *accommodations facilitator* who provided the rental
17 identified in the subpoena.

18 (2) Produce any subpoenaed books, papers or documents not
19 later than 21 days after providing the notice required by
20 subparagraph (1) unless otherwise ordered by a court.

21 (b) An owner or lessee of a rental to whom a subpoena has been
22 issued pursuant to the ordinance to produce any subpoenaed books,
23 papers or documents not later than 21 days after the issuance of the
24 subpoena, unless otherwise ordered by a court.

25 ~~[5.]~~ 6. If a person to whom a subpoena has been issued
26 pursuant to an ordinance adopted pursuant to subsection 1 refuses to
27 produce any document, record or material that the subpoena
28 requires, the agency of the incorporated city issuing the subpoena
29 may apply to the district court for the judicial district in which the
30 subpoena is being carried out for the enforcement of the
31 subpoena in a manner provided by law for the enforcement of a
32 subpoena in a civil action.

33 ~~[6.]~~ 7. As used in this section:

34 (a) *“Accommodations facilitator” has the meaning ascribed to*
35 *it in section 16 of this act.*

36 (b) ~~“Hosting platform” [means a person who, for a fee or other~~
37 ~~charge, provides on an Internet website an online platform that~~
38 ~~facilitates the rental of a residential unit or a room or space within a~~
39 ~~residential unit by an owner or lessee of the residential unit for the~~
40 ~~purposes of transient lodging, including, without limitation, through~~
41 ~~advertising, matchmaking or other means.~~

42 ~~—(b)] has the meaning ascribed to it in section 17 of this act.~~

43 (c) ~~“Residential unit” [means a single family residence or an~~
44 ~~individual residential unit within a larger building, including,~~
45 ~~without limitation, an apartment, condominium, townhouse or~~



1 ~~duplex. The term does not include a timeshare or other property~~
2 ~~subject to the provisions of chapter 119A of NRS.]~~ *has the meaning*
3 *ascribed to it in section 18 of this act.*

4 **Sec. 27.** This act becomes effective on January 1, 2022.

