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SENATE BILL NO. 1330

Offered January 13, 2025

Prefiled January 13, 2025

A *BILL to amend the Code of Virginia by adding a section numbered 58.1-612.3, relating to short-term rentals; registration; civil penalty.*

Patron—Marsden

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 58.1-612.3 as follows:****§ 58.1-612.3. Creation of registry for short-term rental of property; civil penalty.**

A. The Department shall establish a statewide short-term rental registry and all accommodations providers and accommodations intermediaries shall register with the Department.

1. a. In order to register, an accommodations provider shall provide to the Department (i) the name of the accommodations provider and (ii) the address of each individual property in the Commonwealth offered for short-term rental by the accommodations provider, including sufficient information to identify the locality or localities in which the accommodations are located.

b. Upon providing such information, the Department shall issue to the accommodations provider a unique numerical identifier for each accommodation that is offered for short-term rental. Such unique numerical identifier is not assignable and is valid only for the person in whose name it is issued and for the transaction of business at the accommodation designated therein.

2. In order to register, an accommodations intermediary shall provide to the Department (i) the name of the accommodations intermediary and (ii) contact information, including the name, email address, and phone number, of an individual responsible for liaising with state and local officials regarding noncompliant short-term rental listings.

3. The Department shall maintain the registry described in this subsection and require accommodations providers and accommodations intermediaries to update with the Department any of the required information within 30 days of any changes.

B. Each accommodations intermediary shall require, as a condition of listing a short-term rental on its platform, that every accommodations provider supply to the accommodations intermediary such accommodations provider's name, the unique numerical identifier issued by the Department, and the specific address for each short-term rental offered. Additionally, the accommodations intermediary shall include the unique numerical identifier for any short-term rental on any listing, advertisement, or social media post related to such short-term rental.

C. 1. On a quarterly basis, each accommodations intermediary shall provide to the Department the following information regarding each short-term rental offered on its platform:

a. The unique numerical identifier issued by the Department for each such short-term rental.

b. The address of each individual property in the Commonwealth offered for short-term rental by each accommodations provider, including sufficient information to identify the locality or localities in which the accommodations are located.

c. The uniform resources locator (URL) for the Internet address of each short-term rental listing.

d. The individual period of rental by calendar date, and the itemized amounts collected or processed by the accommodations intermediary for room charges as defined in § 58.1-602; accommodations fees as defined in § 58.1-602, including any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name; state sales and use tax; local transient occupancy tax; and all other charges.

2. Notwithstanding the foregoing, if an accommodations intermediary submits the monthly reports required by subsection F of § 58.1-3826 for any quarter, such intermediary shall not be required to provide the information described in subdivision 1 to the Department for such quarter.

D. The Department shall provide to the commissioner of the revenue or other assessing official for each locality access to the registry described in subsection A and information contained therein for all short-term rentals located within the jurisdiction of the commissioner of the revenue or other assessing official. The commissioner of the revenue or other assessing official may share the information described in subdivision C 1 with the officials responsible for zoning in his locality except for the information described in subdivision C 1 d, which shall remain confidential and shall not be shared.

E. The commissioner of the revenue or other assessing official for the locality shall notify an accommodations intermediary upon finding that any short-term rental on its platform is not lawfully registered,

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59 *permitted, or otherwise authorized to be offered as a short-term rental pursuant to § 15.2-983, a local zoning*
60 *ordinance, or another provision of law. Such notification shall (i) identify the short-term rental listing's*
61 *unique numerical identifier issued by the Department and URL or other digital location and (ii) state the*
62 *reason for the noncompliance finding.*

63 *F. An accommodations intermediary shall be prohibited from listing any short-term rental on its platform*
64 *after receiving a notice of noncompliance from the commissioner of the revenue or other assessing official*
65 *for the locality for such short-term rental. The accommodations intermediary shall remove such listing from*
66 *its platform within seven days of receiving such notice pursuant to subsection E and shall provide a refund to*
67 *any customer reserving such listing. An accommodations intermediary that violates the requirements of this*
68 *subsection shall be subject to a civil penalty of \$1,000. All penalties paid under this section shall be*
69 *transmitted by the commissioner of the revenue or other assessing official to the Department, which shall*
70 *deposit such funds in the Virginia Housing Trust Fund established by § 36-142.*

71 *G. The provisions of this section shall not be construed to limit the authority of localities to regulate or*
72 *prohibit short-term rentals as otherwise provided by law.*

73 **2. That the provisions of this act shall become effective on July 1, 2026.**