

REFERENCE TITLE: **online lodging marketplaces**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2638**

Introduced by  
Representatives Seaman: Contreras P, Longdon

**AN ACT**

**AMENDING TITLE 44, CHAPTER 38, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 44-7952; RELATING TO ONLINE LODGING MARKETPLACES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 44, chapter 38, Arizona Revised  
4 Statutes, is changed from "BUSINESSES EXEMPT FROM MASK MANDATE" to  
5 "BUSINESSES GENERALLY".

6 Sec. 2. Title 44, chapter 38, article 1, Arizona Revised Statutes,  
7 is amended by adding section 44-7952, to read:

8 44-7952. Online lodging marketplaces; compliance; civil  
9 penalty; definitions

10 A. AN ONLINE LODGING MARKETPLACE MAY NOT DISPLAY OR OFFER FOR RENT  
11 A PROPERTY OR TRANSACT BUSINESS FOR A PROPERTY OR ONLINE LODGING OPERATOR  
12 IN THIS STATE IF THE PROPERTY OR ONLINE LODGING OPERATOR IS NOT IN  
13 COMPLIANCE WITH ALL APPLICABLE STATE, COUNTY AND LOCAL LAWS AT THE TIME OF  
14 THE RENTAL OR OCCUPANCY. A PERSON THAT VIOLATES THIS SECTION IS SUBJECT  
15 TO A CIVIL PENALTY OF \$250 PER VIOLATION, AND EACH DAY OF A VIOLATION  
16 CONSTITUTES A SEPARATE VIOLATION.

17 B. CITIES AND TOWNS MAY VERIFY AND ENFORCE AN ONLINE LODGING  
18 MARKETPLACE'S COMPLIANCE WITH THIS SECTION, COLLECT PENALTIES AND REPORT  
19 TO THE DEPARTMENT OF REVENUE THE NUMBER OF VIOLATIONS AND THE TOTAL  
20 PENALTIES COLLECTED.

21 C. FOR THE PURPOSES OF THIS SECTION:

22 1. "ONLINE LODGING MARKETPLACE" HAS THE SAME MEANING PRESCRIBED IN  
23 SECTION 42-5076.

24 2. "ONLINE LODGING OPERATOR" HAS THE SAME MEANING PRESCRIBED IN  
25 SECTION 42-5076.