

REFERENCE TITLE: short-term lodging rates; advertisements

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2198

Introduced by
Representative Gress

AN ACT

AMENDING SECTIONS 44-1501 AND 44-1507, ARIZONA REVISED STATUTES; AMENDING TITLE 44, CHAPTER 10, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 44-1508; RELATING TO SHORT-TERM LODGING.

(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 article heading of title 44, chapter 10, article 6, Arizona
4 Revised Statutes, is changed from "RATE SIGNS OF HOTELS AND MOTOR COURTS"
5 to "SHORT-TERM LODGING RATE ADVERTISEMENTS".

6 Sec. 2. Section 44-1501, Arizona Revised Statutes, is amended to
7 read:

8 44-1501. Definitions

9 In this article, unless the context otherwise requires:

10 1. "Operator" includes a manager or any person in charge of the
11 operation of motels, motor hotels, motor courts, motor camps, hotels, ~~and~~
12 like establishments. "Operator" or "owner" includes natural persons,
13 firms, ~~and~~ corporations.

14 2. "Outdoor sign" or "outside sign" means any sign visible to
15 ~~passers-by~~ PASSERSBY, whether it is located within or without the
16 building.

17 3. "Room rates" means the rates at which rooms or other
18 accommodations are rented to occupants.

19 4. "SHORT-TERM LODGING":

20 (a) MEANS A HOTEL, MOTEL, BED AND BREAKFAST INN OR OTHER TRANSIENT
21 LODGING.

22 (b) INCLUDES A VACATION RENTAL OR SHORT-TERM RENTAL AS DEFINED IN
23 SECTIONS 9-500.39 AND 11-269.17 THAT IS RENTED THROUGH AN ONLINE LODGING
24 MARKETPLACE.

25 5. "ONLINE LODGING MARKETPLACE" HAS THE SAME MEANING PRESCRIBED IN
26 SECTION 42-5076.

27 Sec. 3. Section 44-1507, Arizona Revised Statutes, is amended to
28 read:

29 44-1507. Violations; classification

30 A person ~~violating any provision of this article~~ WHO VIOLATES
31 SECTION 44-1503, 44-1504 OR 44-1505 is guilty of a class 2 misdemeanor.

32 Sec. 4. Title 44, chapter 10, article 6, Arizona Revised Statutes,
33 is amended by adding section 44-1508, to read:

34 44-1508. Short-term lodging; advertising; rates; violation;
35 civil penalty

36 A. A PLACE OF SHORT-TERM LODGING, AN INTERNET WEBSITE, AN ONLINE
37 LODGING MARKETPLACE, AN APPLICATION OR OTHER SIMILAR CENTRALIZED PLATFORM
38 OR ANY PERSON:

39 1. MAY NOT ADVERTISE, DISPLAY OR OFFER A ROOM RATE THAT DOES NOT
40 INCLUDE ALL FEES OR CHARGES REQUIRED TO STAY AT THE SHORT-TERM LODGING,
41 EXCEPT FOR TAXES AND FEES IMPOSED BY A GOVERNMENT ON THE STAY. THIS
42 PARAGRAPH APPLIES TO ANY ADVERTISING, DISPLAY OR OFFER BEFORE THE PUBLIC
43 IN THIS STATE OR FROM THIS STATE BEFORE THE PUBLIC IN ANY STATE.

44 2. SHALL INCLUDE IN THE TOTAL PRICE TO BE PAID, BEFORE THE CONSUMER
45 RESERVES THE STAY, ALL TAXES AND FEES IMPOSED BY A GOVERNMENT ON THE STAY.

1 B. A PERSON THAT KNEW OR SHOULD HAVE KNOWN THAT THE PERSON
2 ADVERTISED, DISPLAYED OR OFFERED A ROOM RATE IN VIOLATION OF THIS SECTION
3 IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$10,000 FOR EACH VIOLATION.

4 C. THE DUTIES AND OBLIGATIONS IMPOSED BY THIS SECTION ARE
5 CUMULATIVE WITH ANY OTHER DUTIES OR OBLIGATIONS IMPOSED UNDER ANY OTHER
6 LAW AND DO NOT RELIEVE ANY PARTY FROM ANY DUTIES OR OBLIGATIONS IMPOSED
7 UNDER ANY OTHER LAW.