

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2025 REGULAR SESSION
Unofficial Document

Amend printed copy of **SB 61/GA**

By inserting on page 2, after line 23 the following:

"➔SECTION 2. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section, unless the context otherwise requires:

(a) "Local government" means a city, county, urban-county government, charter county government, unified local government, or consolidated local government;

(b) "Owner" means a person that has an interest in title or a present possessory interest in property that is offered to the public as a short-term rental; and

(c) "Short-term rental" means the rental of a dwelling unit or part of a dwelling unit, other living or sleeping space, an accessory dwelling unit, or any other space made available for rent for terms of less than thirty (30) consecutive days at a time.

(2) A local government shall not restrict the use of property as a short-term rental, including via ordinance, regulation, or any other means if:

(a) The property is offered to the public for rent as a short-term rental for less than thirty (30) days per calendar year; or

(b) The restriction is based on density, including any requirement that short-term rentals:

1. Be spaced any distance apart from other short-term rentals; or

Amendment No. HFA

Rep. Rep. David W. Osborne

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

Unofficial Document

2. May not exceed a specified percentage or number of housing units in a given building, zoning district, or other geographical boundary including a boundary between rural and urban areas.
- (3) A local government may require the owner of a short-term rental, other than one offered to the public for rent as a short-term rental for less than thirty (30) days per calendar year, to obtain a conditional use permit or other form of approval to operate the short-term rental, but the local government shall:

 - (a) Not restrict the number of applicants or approvals issued;
 - (b) Provide instructions and a copy of the application on a website maintained by the local government;
 - (c) Render a final decision within thirty (30) days of receipt of an application; and
 - (d) Grant approval unless the local government has demonstrated that the short-term rental would have a significant negative impact on:

 1. Protection of the public's health and safety related to:

 - a. Fire and building safety;
 - b. Sanitation;
 - c. Transportation;
 - d. Traffic; or
 - e. Pollution control; or
 2. Residential uses and zoning related to:

 - a. Noise;
 - b. Protection of welfare;
 - c. Property maintenance; or
 - d. Nuisance issues.
- (4) This section shall not be construed to prohibit a local government from otherwise

adopting or enforcing ordinances or regulations regulating or restricting short-term rentals, other than those offered to the public for rent as short-term rentals for less than thirty (30) days per calendar year. A local government may adopt ordinances or regulations, subject to the provisions of this subsection, concerning short-term rentals that:

- (a) Require the owners of short-term rentals to register with the local government;
 - (b) Impose reasonable fees on short-term rentals;
 - (c) Impose authorized taxes, including transient room taxes, on short-term rentals;
 - (d) Limit the number of occupants that may use a short-term rental;
 - (e) Limit the age of those who may occupy a short-term rental; or
 - (f) Require the owner or operator of a short-term rental to obtain insurance associated with the short-term rental.
- (5) This section shall not be construed to affect, prohibit, preempt, or render unenforceable any property or use restrictions contained in the properly enacted rules or regulations of a homeowners association, condominium association, or other similar property owner association or cooperative.
- (6) Any local ordinance that conflicts with the provisions of this section shall be null, void, and unenforceable."