

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2025 REGULAR SESSION
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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 the property is offered to the public for rent as a short-term rental for less than thirty (30) days per calendar year.

(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:

Amendment No. HFA

Rep. Rep. Lindsey Burke

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

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- (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) Any local government that uses a permitting or approval process as described in subsection (3) of this section, shall only deny a permit or approval on the basis that granting the permit or approval would cause negative community impacts such as those listed in subsection (3)(d)1. and (3)(d)2. to arise. Any permitting or approval process shall allow for a person seeking a permit or approval to appeal a final decision to the local government.
- (5) 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;

(f) Require the owner or operator of a short-term rental to obtain insurance associated with the short-term rental; or

(g) Require the owner or operator of a short-term rental to renew a conditional use permit or other form of approval on an annual basis.

(6) A local government shall have the power to enforce other duly enacted ordinances or regulations applicable to all dwellings as to short-term rentals.

(7) A local government may revoke a conditional use permit or other form of approval for a short-term rental due to noncompliance with an ordinance described in subsection (5) of this section or if the local government has demonstrated that the short-term rental has had a significant negative impact on public health, safety, or general welfare. The owner of a short-term rental subject to revocation pursuant to this subsection shall be entitled to due process.

(8) 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.

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(9) Any local ordinance that conflicts with the provisions of this section shall be null, void, and unenforceable.