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## DIGEST

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HB 518 Reengrossed

2024 Regular Session

Knox

**Abstract:** Allows a parish or municipality to adopt ordinances to regulate a booking agent.

Proposed law provides that a parish or municipality may adopt ordinances to regulate a booking agent.

Proposed law provides that to regulate a booking agent, a municipality or parish may do all of the following:

- (1) Require a booking agent that displays a short-term rental listing for a short-term rental located in that municipality or parish to require the short-term rental owner or owner's agent to include a local short-term rental license or permit number in any listing for the short-term rental on the booking agent's website or other digital platform.
- (2) Require a booking agent to remove a listing for a short-term rental from the booking agent's website or other digital platform after notification by the municipality or the parish that the owner of the listed short-term rental has had the owner's local short-term rental license or permit suspended or revoked, or has been issued a notice of violation or similar legal process for not possessing a valid local short-term rental license or permit, or that the municipality or parish has a prohibition on short-term rentals that applies to the short-term rental. The booking agent shall remove the listing from the website or other digital platform within 10 days of receiving the notification from the municipality or parish.

Proposed law adds that a booking agent who violates a municipal or parish regulation adopted pursuant to proposed law may be subject to a civil penalty by the municipality or parish in an amount not to exceed \$1500 per violation.

Proposed law provides for who shall not be held to have violated proposed law.

Proposed law provides that the fines collected pursuant to proposed law shall be distributed to the housing authority with jurisdiction where the violation occurred. The fines shall be used for affordable housing or infrastructure or alleviating homelessness.

Proposed law provides for the definitions for "booking agent", "interactive computer service", and "short-term rental".

Proposed law provides that "owner's agent" does not include a booking agent.

(Adds R.S. 33:9721)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove the attorney general from those who can pursue a civil fine.
2. Remove the designation of fines to the Main Street Program and instead distribute them to the local housing authority for affordable housing or infrastructure or alleviating homelessness.
3. Delete the Short-term Rentals Violation Fund.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add that a municipality or parish may adopt ordinances to regulate a booking agent.
3. Add what a municipality or parish may do to regulate a booking agent.
4. Delete the authority for the district attorney to conduct investigations and pursue fines.
5. Remove that, prior to asserting a cause of action, the district attorney shall provide the booking agent with a period of time of not less than 30 days to cease booking short-term rentals in violation of proposed law.
6. Add that the booking agent shall remove the listing from the website or other digital platform within 10 days of receiving a notification from the municipality or parish.
7. Delete liability of booking agent to the district attorney for all costs, expenses, and fees related to investigations and proceedings associated with the violation, including attorney fees.
8. Remove that if a court assesses a civil penalty pursuant to proposed law, the judicial district court is entitled to legal interest as provided in present law from the date of imposition of the penalty until paid in full.
9. Amend the definition for "booking agent"
10. Add that "owner's agent" does not include a booking agent.