

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1590

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H.P. 1179

House of Representatives, April 27, 2021

### **An Act To Define Commercial and Noncommercial Purveyors of Accommodations for Short-term Rental**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SYLVESTER of Portland.

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A MRSA §3015** is enacted to read:

**§3015. Definitions used in ordinances regarding short-term rentals**

**1. Application and scope.** If a municipality enacts an ordinance regarding or regulating short-term rental units, commercial short-term rental purveyors, noncommercial short-term rental purveyors or owners of short-term rental units, the municipality shall use the definitions in subsection 2 when using or defining a term defined in subsection 2. The definitions in subsection 2 must be made publicly available on the publicly accessible website of the State and on the publicly accessible website of the Maine State Housing Authority.

**2. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial short-term rental purveyor" means a person who offers a short-term rental in a building owned by the person:

(1) Containing more than 2 short-term rental units owned or offered by the person and in which the person does not reside; or

(2) Containing more than 3 short-term rental units owned or offered by the person and in which the person may reside.

B. "Noncommercial short-term rental purveyor" means a person who offers a short-term rental that does not meet the criteria of paragraph A.

C. "Owner of a short-term rental unit" means a person:

(1) Who owns or possesses a short-term rental unit; or

(2) Who owns more than 10% of shares or any other type of membership or ownership interest in a business entity that owns or possesses a short-term rental unit.

D. "Short-term rental unit" means living quarters offered for rental through a transient rental platform as defined by Title 36, section 1752, subsection 20-C.

**Sec. 2. Notice to municipalities.** Upon the effective date of this Act, the Maine State Housing Authority shall send electronically to all municipalities the provisions of this Act.

## SUMMARY

This bill defines terms to be used by municipalities when enacting ordinances regarding or regulating short-term rentals of living quarters offered through a transient rental platform, including definitions for "commercial short-term rental purveyor," "noncommercial short-term rental purveyor," "owner of a short-term rental unit" and "short-term rental unit." This bill requires these definitions to be made publicly available on the State's website and on the Maine State Housing Authority's website and to be sent electronically to all municipalities in the State.