

LEGISLATURE OF THE STATE OF IDAHO
Sixty-eighth Legislature First Regular Session - 2025

IN THE SENATE

SENATE BILL NO. 1163

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TOURISM REVENUE PROTECTION; AMENDING SECTION 63-1801, IDAHO CODE, TO REVISE A SHORT TITLE; AMENDING SECTION 63-1802, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE INTENT; AMENDING CHAPTER 18, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-1805, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PROTECTION OF TOURISM REVENUE AND PROVIDING LIMITATIONS ON THE REGULATION OF SHORT-TERM RENTALS; REPEALING SECTION 67-6539, IDAHO CODE, RELATING TO LIMITATIONS ON THE REGULATION OF SHORT-TERM RENTALS AND VACATION RENTALS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 63-1801, Idaho Code, be, and the same is hereby amended to read as follows:

63-1801. SHORT TITLE. This ~~act~~ chapter shall be known and may be cited as the "~~Short-term Rental and Vacation Rental~~ Tourism Revenue Protection Act."

SECTION 2. That Section 63-1802, Idaho Code, be, and the same is hereby amended to read as follows:

63-1802. LEGISLATIVE INTENT. It is the intent of the legislature to ensure that Idaho remains a prime tourism destination and to preserve and enhance income to the state of Idaho and local jurisdictions from tourism. The legislature finds that revenue from tourism is a vital source of income to the state of Idaho and to cities and counties in Idaho and, therefore, must be protected. This act is chapter is also designed to promote access to short-term rentals and vacation rentals by limiting local governmental authority to prohibit these beneficial property uses, or to specifically target them for regulation, except in circumstances necessary to safeguard public health and welfare safety. This act is also Additionally, this ~~chapter~~ is designed to preserve and protect constitutionally granted personal property rights and promote property owner access to platforms for offering their properties as short-term rentals and vacation rentals, and enhancing local tax revenue by permitting platforms to assume tax collection and remittance responsibilities.

SECTION 3. That Chapter 18, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-1805, Idaho Code, and to read as follows:

63-1805. TOURISM REVENUE PROTECTION. (1) No county or city may enact or enforce any ordinance that has the express or practical effect of prohibiting any type of short-term rental or vacation rental in the county or

city. A county or city may implement reasonable regulations as are necessary to safeguard public health and safety as long as the reasonable regulations do not impose different restrictions or obligations on a short-term rental than are imposed on single family dwellings or similar structures not used as short-term rentals. For the purpose of this section, "different restrictions or obligations" means any requirement or regulation that would not otherwise apply but for the property's use as a short-term rental. A short-term rental shall be classified as a non-transient residential use for zoning, fire, and building code purposes and shall be subject only to those building codes adopted by the Idaho building code board as such codes apply to other residential uses.

(2) All short-term rental properties and owners of such properties shall be subject to all other county and city ordinances and penalties that apply to other residential uses, including but not limited to noise, parking, nuisance, curfew, traffic, and other similar regulations.

(3) No county or city shall regulate the operation of a short-term rental marketplace as prohibited by the provisions of this chapter.

(4) Nothing in this section shall prevent a county or city from requiring, by ordinance, a permit to operate a short-term rental as long as the permitting ordinance does not impose requirements prohibited by this section.

(a) A short-term rental permit shall be issued if a short-term rental owner:

(i) Submits payment of an annual fee not to exceed fifty dollars (\$50.00) per property; and

(ii) Submits a statement certifying that within the twelve (12) month period immediately preceding the application for a permit, there have not been a combined total of three (3) or more convictions on three (3) or more separate occasions by the property owner or property manager for violating ordinances relating to such short-term rental property.

(b) A county or city may only revoke a permit for a short-term rental property if:

(i) A permit holder does not provide payment of the annual permit fee if required by a county or city ordinance adopted pursuant to paragraph (a) of this subsection; or

(ii) Within a twelve (12) month period there are a combined total of three (3) or more convictions, on three (3) or more separate occasions, by the property owner or property manager for violating ordinances or laws related to such short-term rental property.

(5) The owner or operator of a short-term rental shall disclose to prospective tenants prior to renting the short-term rental if the short-term rental is not equipped with:

(a) An operating smoke alarm in every room advertised as a sleeping area;

(b) An operating fire extinguisher on every floor; and

(c) A first aid kit.

SECTION 4. That Section [67-6539](#), Idaho Code, be, and the same is hereby repealed.

1 SECTION 5. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2025.