

Senate Advances Hotel Safety Bill



NCTIA lobbyists followed [Senate Bill 53 \(Hotel Safety Issues\)](#) this week as it made its way over to the House on Thursday after a [28-16](#) Senate vote.

The bill received its first vote on Tuesday in the [Senate Judiciary Committee](#) (photo) after it was presented by Senators [Brad Overcash \(R-Gaston\)](#) and [Tim Moffitt \(R-Henderson/Polk/Rutherford\)](#). [Sen. Vickie Sawyer \(R-Iredell/Mecklenburg\)](#) is the lead bill sponsor.

"NCTIA supported the legislation last biennium and we support it again this year," said NCTIA Executive Director Vince Chelena. "Current law fails to clearly define what a transient occupant is and this bill does that in a common sense way."

Chelena said by defining an occupant as transient, a hotelier can avoid costly legal fees to evict a disruptive guest.

"To balance the bill out, landlord-tenant protections kick in after a 90-consecutive-day stay at a hotel or motel," Chelena said.

Wilkes County Oks 6% Occupancy Tax

The following article was excerpted from the Wilkes Journal-Patriot and was published on January 9. [Click to read the article in its entirety.](#)

The Wilkes County commissioners on Tuesday night unanimously approved establishing a 6% occupancy tax in areas of Wilkes outside the towns and a tourism development authority (TDA) to decide how the revenue is spent.

"We are thrilled that our county commissioners have endorsed the tourism economy in Wilkes by voting to create a visitor-funded budget for tourism promotion and infrastructure," said Thomas Salley, Director of the Wilkesboro Tourism Development Authority. "We are grateful to Vince Chelena and the NCTIA for their efforts and guidance to help educate and advocate for this opportunity that will allow our rural community to grow and thrive."

A "local bill" approved by the legislature in 2010 allowed the Wilkes commissioners to impose an occupancy tax as high as 6%, the highest allowed under state law, on all of Wilkes outside the towns. However, the commissioners requested the local bill, but voted 3-2 to table the matter later in 2010. Commissioners discussed it several times since then, including this summer when they held two public hearings on the tax, but never voted on imposing the tax until now.

Tuesday night, the commissioners approved a resolution enacting the tax and setting the rate at 6% of gross receipts from rentals at any "hotel, motel, inn, tourist camp or similar place... subject to sales tax." County Attorney Tony Triplett said it also includes Airbnb and Vrbo rentals.

Places of lodging can't start collecting the occupancy tax until the first day of the second month after approval, which Triplett said in this case meant April 1.

The local bill and the resolution enacting the occupancy tax both say at least two thirds of the revenue must be used to promote travel and tourism in areas of Wilkes outside the towns and the remainder used for tourism related expenditures in these areas. The local bill prohibits using any of this revenue to promote travel or tourism within Wilkes towns.

Last year, it was estimated that a 6% occupancy tax on areas of Wilkes outside the towns would generate about \$600,000 annually.

Triplett said the local bill required that commissioners establish a TDA if they imposed the tax. The TDA is charged with receiving occupancy tax revenue collected by the Wilkes County Tax Office and deciding how it is spent" within certain limits.