**Summary**

This legislation establishes a sensible framework to eliminate confusion and controversy in the imposition of hotel occupancy taxes on services provided by travel agents and other travel intermediaries. The legislation clarifies that a service which helps travelers to research, compare, and book hotel reservations is not subject to those taxes that are imposed on hotel operators for the provision of a room. By clarifying that taxes imposed as a hotel tax or occupancy tax shall apply only to the amounts received by hotel operators, this legislation will promote continued growth in travel and tourism.

**Legislation**

**Section 1. {Title}** This Act may be cited as the “Travel Agent Tax Fairness Act.”

**Section 2. {Legislative Findings}** The Legislature finds that:

(A) Travel agents and online travel companies provide valuable services to travelers, showing comparisons of rates and amenities offered by multiple, competing hotel operators.

(B) These facilitation services are distinct from the provision of a room by the hotel where the traveler eventually stays.

(C) Travelers rely on travel agents and online travel companies to research, compare, and book reservations.

(D) Hotel occupancy taxes should not be imposed on services provided by travel agents and online travel companies.

**Section 3. {General Rule}**

(A) Notwithstanding any other provision of law to the contrary, any tax imposed on or collected in relation to any transient accommodations, whether imposed as a hotel tax, occupancy tax, or otherwise, shall apply solely to amounts received by the operator of a hotel, motel, tavern, inn, tourist cabin, tourist camp, or other place in which rooms are furnished to the public.

(B) Under no circumstances shall a travel agent or intermediary be deemed an operator of a hotel, motel, tavern, inn, tourist cabin, tourist camp, or other place in which rooms are furnished to the public unless such travel agent or intermediary actually operates such a facility.

(C) This section is intended to clarify that taxes imposed as a hotel tax, occupancy
Section 4. {Effective Date} This Act will become effective immediately upon signature by the Governor.