

Overview – S. 1263 & H. 583

The Idaho Legislature is considering changes to Idaho Code §67-6539, which governs how cities and counties may regulate short-term rentals (STRs). Two bills – H. 583 and S. 1263 - take different approaches to balancing property rights, public safety, and local control.

Key Differences at a Glance

Local Authority

- **S. 1263:** Preserves a narrow scope of limited local authority to adopt reasonable regulations to protect residents' public health, safety, and neighborhood integrity, with clear limitations to check government overreach
- **H. 583:** Severely restricts local authority and prohibits most STR-specific regulations.

Business Licensing & Registration

- **S. 1263:**
 - Allows licensing, but only for large operators (4+ STRs in one jurisdiction or \$10,000+ in annual STR revenue).
 - Allows registration and local emergency contact.
- **H. 583:**
 - Prohibits all licenses, permits, fees, and registrations—regardless of scale.
 - Prohibits collecting owner or operator emergency contact information.

Public Safety Tools

- **S. 1263:**
 - Preserves a narrow list of baseline safety requirements (smoke alarms, carbon monoxide detectors, fire extinguishers, escape ladders).
 - Allows basic occupancy limits and emergency contact information.
- **H. 583:**
 - Preserves a narrow list of baseline safety measures, but prohibits local ordinances regarding inspections, safety signage, parking, occupancy standards or emergency contact information and hamstrings enforcement.

Scale & Commercialization

- **S. 1263:** Distinguishes between small, family-owned STRs and large investor-based operations.

- **H. 583:** Treats all STRs the same as private residences, regardless of size or commercial impact.
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Why It Matters

- Idaho policy should protect **private property rights for everyone**, not just STR operators.
 - The rights of **local citizens and families** to safety, quiet enjoyment, and stable neighborhoods are as important as the rights of STR owners to use their property.
 - **S. 1263** maintains a workable balance between STR operations and the rights of neighboring property owners.
 - **H. 583** represents broad state preemption, removing nearly all local tools to protect the property rights and quality of life of nearby residents.
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Property Rights Balance

Private property rights apply to everyone.

STR owners have the right to use their property, but **local citizens and families have the same right** to safety, quiet enjoyment, and stable neighborhoods. Sound policy must balance these interests—not elevate one at the expense of the other.

Bottom Line

Both bills limit local regulation, but **S. 1263 preserves essential safeguards**, while **H. 583 goes much further by eliminating local oversight entirely**, regardless of scale or impact.

This distinction is critical for legislators weighing property rights, public safety, and the ability of communities to respond to real-world impacts of short-term rentals.