

Twentieth Northern Marianas Commonwealth Legislature

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2017

H. B. 20-22

A BILL FOR AN ACT

To amend 1 CMC Section 1502 clarifying the activities subject to the Occupancy Tax

BE IT ENACTED BY THE TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings.** 1 CMC Section 1502 which imposes the Occupancy
2 Tax contains two lists. One list covers the occupants subject to the tax. The
3 Second list covers the persons responsible for collecting the tax. The activities
4 listed in the two lists are not the same. The activities subject to the tax and the
5 activities of the persons responsible for collecting the tax should be identical.

6 In order to clarify that bed and breakfast activities are covered by the
7 Occupancy Tax, private residences and bed and breakfast activities have been
8 added to the list of activities covered by the Occupancy Tax. Definitions are
9 added for “transient occupant” and “bed and breakfast” to clarify the coverage of
10 the Occupancy Tax.

11 **Section 2. Amendment.** 4 CMC Section 1502 is amended as follows:

12 “§ 1502. Hotel Occupancy Tax.

1 (a) An occupancy tax is imposed upon transient occupants of a room or
2 rooms in a hotel, lodging house, motel, resort motel, apartment,
3 apartment motel, rooming house, private residence, bed and breakfast,
4 ~~or~~ condominium or similar facility located in the Commonwealth. The
5 tax shall be 15 percent of the amount charged or paid for the
6 accommodations.

7 (b) The tax imposed by this section shall be collected by the person who
8 operates, owns or manages a hotel, lodging house, motel, resort motel,
9 apartment, apartment motel, rooming house, private residence, bed and
10 breakfast, condominium, or similar facility as and when paid or
11 charged to the hotel, lodging house, motel, resort motel, apartment,
12 apartment motel, rooming house, private residence, bed and breakfast,
13 condominium, or similar facility.”

14 **Section 3. Amendment.** 4 CMC §1103 is amended by adding the
15 following new definitions:

16 “(-)”Transient occupant” means those persons who for compensation
17 occupy the living facilities listed in 4 CMC §1502(a) for less than 90
18 days.

19 (-)“Bed and breakfast” means a private residence or building appurtenant
20 or accessory to a private residence containing five or fewer rooms
21 intended or designed to be used, or which are used, rented, or hired out
22 to be occupied for sleeping purposes.”

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2 **Section 4. Severability.** If any provisions of this Act or the application
3 of any such provision to any person or circumstance should be held invalid by a
4 court of competent jurisdiction, the remainder of this Act or the application of its
5 provisions to persons or circumstances other than those to which it is held invalid
6 shall not be affected thereby.

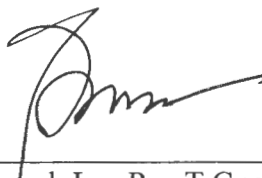
7 **Section 5. Savings Clause.** This Act and any repealer contained herein
8 shall not be construed as affecting any existing right acquired under contract or
9 acquired under statutes repealed or under any rule, regulation, or order adopted
10 under the statutes. Repealers contained in this Act shall not affect any proceeding
11 instituted under or pursuant to prior law. The enactment of the Act shall not have
12 the effect of terminating, or in any way modifying, any liability, civil or criminal,
13 which shall already be in existence on the date this Act becomes effective.

14 **Section 6. Effective Date.** This Act shall take effect upon its approval by
15 the Governor, or its becoming law without such approval..

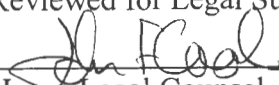
Prefiled: Jan. 25, 2017

Date: 1/25/17

Introduced By: _____


Rep. Joseph Lee Pan T. Guerrero

Reviewed for Legal Sufficiency by:


House Legal Counsel