



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code:  Section:

[Up^](#) [Add To My Favorites](#)

**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 7. GENERAL BUSINESS REGULATIONS [16000 - 18107]** ( *Division 7 added by Stats. 1941, Ch. 61.*  )

**PART 3. REPRESENTATIONS TO THE PUBLIC [17500 - 17943]** ( *Part 3 added by Stats. 1941, Ch. 63.*  )

**CHAPTER 1. Advertising [17500 - 17606]** ( *Chapter 1 added by Stats. 1941, Ch. 63.*  )

**ARTICLE 3.5. Hotel And Motel Advertised Rates [17568.5 - 17568.8]** ( *Article 3.5 added by Stats. 2004, Ch. 492, Sec. 1.*  )

**17568.5.** Upon the proclamation of a state of emergency resulting from an earthquake, flood, fire, riot, storm, or other natural disaster declared by the President of the United States or the Governor, or upon the declaration of a local emergency resulting from an earthquake, flood, fire, riot, storm, or other natural disaster by the executive officer of any county, city, or city and county, and for a period of 30 days following that proclamation or declaration, an owner or operator of a hotel or motel may not increase the hotel or motel's regular rates, as advertised immediately prior to the proclamation or declaration of emergency, by more than 10 percent. This prohibition does not apply if the owner or operator can prove that the increase in price is directly attributable to additional costs imposed on it for goods or labor used in its business, to seasonal adjustments in rates that are regularly scheduled, or to previously contracted rates.

(*Added by Stats. 2004, Ch. 492, Sec. 1. Effective January 1, 2005.*)

**17568.6.** (a) (1) A place of short-term lodging, an internet website, application, or other similar centralized platform, or any other person shall not advertise, display, or offer a room rate, as defined in Section 17561, that does not include all fees or charges required to stay at the short-term lodging except taxes and fees imposed by a government on the stay.

(2) A place of short-term lodging, an internet website, application, or other similar centralized platform, or any other person shall include in the total price to be paid, before the consumer reserves the stay, all taxes and fees imposed by a government on the stay.

(b) For purposes of this section, "short-term lodging" means any hotel, motel, bed and breakfast inn, or other transient lodging. "Short-term lodging" also includes a short-term rental, or a residential property that is rented to a visitor for 30 consecutive days or less through a centralized platform whereby the rental is advertised, displayed, or offered and payments for the rental are processed.

(c) For purposes of this section, assessments under Chapter 1 (commencing with Section 13995) of Part 4.7 of Division 3 of Title 2 of the Government Code or under Part 6 (commencing with Section 36500) or Part 7 (commencing with Section 36600) of Division 18 of the Streets and Highways Code are fees imposed by a government on the stay.

(d) This section shall apply to any advertising, display, or offer before the public in this state, or from this state before the public in any state.

(e) (1) A person that knew or should have known that it has advertised, displayed, or offered a room rate in violation of this section shall be subject to a civil penalty not exceeding ten thousand dollars (\$10,000) for each violation.

(2) An action to enforce this section may be brought by a city attorney, district attorney, county counsel, or the Attorney General.

(f) The duties and obligations imposed by this section are cumulative with any other duties or obligations imposed under other law, and shall not be construed to relieve any party from any duties or obligations imposed under other law.

(g) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(h) This section shall become operative on July 1, 2024.

(*Added by Stats. 2023, Ch. 805, Sec. 1. (AB 537) Effective January 1, 2024. Operative July 1, 2024, by its own provisions.*)

**17568.8.** (a) A place of short-term lodging or any other person that advertises or lists a place of short-term lodging as available to rent on an internet website, application, or other similar centralized platform shall include in their short-term lodging listing on the

internet website, application, or other similar centralized platform, for the purposes of its compliance with subdivision (b), the following information:

- (1) Any additional fees or charges that it will add to the total price to be paid to stay at the short-term lodging, or other penalty that it will impose, if the consumer fails to perform certain cleaning tasks at the end of the stay.
- (2) An explicit description of the cleaning tasks required to be performed by the consumer that, if not performed, will make the consumer subject to the additional fees, charges, or penalties described in paragraph (1).

(b) A place of short-term lodging, an internet website, application, or other similar centralized platform, or any other person shall include both of the following in a notice that is affirmatively acknowledged by the consumer before the consumer reserves a stay at a place of short-term lodging it advertises or lists as available to rent:

- (1) A disclosure of any additional fees or charges that will be added to the total price to be paid to stay at the short-term lodging, or other penalty that will be imposed by the place of short-term lodging or by the website, application, or other similar centralized platform, or any other person if the consumer fails to perform certain cleaning tasks at the end of the stay.
- (2) An explicit description of the cleaning tasks required to be performed by the consumer that, if not performed, will make the consumer subject to the additional fees, charges, or penalties described in paragraph (1), required by either the place of short-term lodging, by the website, application, or other similar centralized platform, or by any other person.

(c) For purposes of this section, the following definitions apply:

- (1) "Notice" means a written or electronic statement that is presented to the consumer in a font size that is at least as large as the standard or default font size of the other text in the advertisement or that is displayed on the internet website, platform, application, or other centralized platform and requires that the consumer interact with the internet website, application, or platform to affirmatively acknowledge that they have read the notice. Affirmative acknowledgment may be accomplished by including a statement in the notice that the consumer acknowledges having read the notice before the internet website, application, or platform functions to allow the consumer to reserve the stay.
- (2) "Penalty" means subjecting a consumer to inferior terms, privileges, or conditions in comparison to other consumers, including, but not limited to, designating or threatening to designate the consumer as a less favorable guest, decreasing or threatening to decrease the consumer's status with or on the short-term lodging, internet website, application, or other similar centralized platform, or hindering or barring the consumer from reserving a stay at a place of short-term lodging that would otherwise be advertised or available to the consumer to view and reserve on the internet website, application, or platform.
- (3) "Short-term lodging" means a short-term rental, or a residential property in this state that is rented to a visitor for 30 consecutive days or less through a centralized platform whereby the rental is advertised, displayed, or offered and payments for the rental are processed, but does not include a hotel, motel, bed and breakfast inn, or other similar transient lodging establishment located in this state, nor does it include a residential hotel, as defined in Section 50519 of the Health and Safety Code.

(d) This section shall apply to any advertising, display, or offer before the public in this state, or from this state before the public in any state.

(e) (1) A person that knew or should have known that it has advertised, displayed, or offered a place of short-term lodging in violation of this section shall be subject to a civil penalty not exceeding ten thousand dollars (\$10,000) for each violation.

(2) An action to enforce this section may be brought by a city attorney, district attorney, county counsel, or the Attorney General.

(f) The duties and obligations imposed by this section are cumulative with any other duties or obligations imposed under other law, and shall not be construed to relieve any party from any duties or obligations imposed under other law.

(g) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(h) This section shall become operative on July 1, 2025.

*(Added by Stats. 2024, Ch. 510, Sec. 1. (AB 2202) Effective January 1, 2025. Operative July 1, 2025, by its own provisions.)*