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AB-299 Motels, hotels, and short-term lodging: disasters. (2025-2026)

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Assembly Bill No. 299

CHAPTER 531

An act to add and repeal Section 1954.071 of the Civil Code, relating to tenancy, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 299, Gabriel. Motels, hotels, and short-term lodging: disasters.

Existing law regulates the terms and conditions of tenancies and defines the term "persons who hire" for the purpose of regulating residential tenancies. Existing law excludes from these provisions occupancy at a hotel or motel if certain conditions are met, including that the occupancy is for a period of 30 days or less, as specified.

Existing law establishes a procedure, known as an unlawful detainer action, that a landlord must follow in order to evict a tenant.

Under this bill, the continued occupancy of a resident of a lodging, as defined, would not be considered a person who hires, nor have their lodging constitute a new tenancy for purposes of an unlawful detainer action, until the guest has resided in the lodging for 270 days, if the guest is residing in the lodging as a result of a disaster, as defined, that substantially damaged, destroyed, or otherwise made uninhabitable their prior housing, as specified. The bill would repeal these provisions on January 1, 2031.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1954.071 is added to the Civil Code, to read:

1954.071. (a) For purposes of this section:

(1) "Disaster" means an event or circumstance that results in a federal major disaster declaration approved by the President of the United States or a state of emergency proclaimed by the Governor pursuant to Section 8625 of the Government Code.

(2) "Lodging" means any of the following:

(A) A motel.

(B) A hotel.

(C) A property that meets either of the following conditions:

- (i) If a local government had a registration, licensure, or similar requirement for short-term lodgings of 30 days or less on the date the disaster was declared or proclaimed, the property was in compliance with that requirement on that date.
- (ii) If a local government did not have a registration, licensure, or similar requirement for short-term lodgings on the date the disaster was declared or proclaimed, the property met the definition of "short-term lodging," as defined in Section 17568.8 of the Business and Professions Code, on that date.

(b) A guest residing in a lodging shall not be considered a person who hires pursuant to Section 1940, nor have their lodging constitute a new tenancy for the purposes of Section 1161 of the Code of Civil Procedure, until the guest has resided in the lodging for 270 days, if the guest is residing in the lodging as a result of a disaster that substantially damaged, destroyed, or otherwise made uninhabitable their prior housing.

(c) If, before or at the time of check-in for a stay that would result in the guest residing in a lodging for more than 30 consecutive days, the lodging believes that the guest is subject to subdivision (b), the lodging shall provide the following notice in physical or electronic written form, in at least 12-point type or substantially the same form:

"NOTICE FROM THE STATE OF CALIFORNIA:

Under California law, if you are staying here because your home has been damaged, destroyed, or made uninhabitable because of a disaster, state law will not consider you a tenant unless you have stayed here for 270 consecutive days or more. If you have been displaced by a disaster and you stay here for more than 30 days but have not yet stayed here for 270 consecutive days, the lodging is not required to extend your reservation but must give you 72 hours notice before requiring you to leave, subject to certain conditions.

You are being provided with this notice because the operator of this establishment believes you are staying here because you were displaced by a disaster and thus that, if you stay beyond 30 days, the above-described rules will apply to your stay until your stay lasts for 270 days or more."

(d) (1) After providing the notice described in subdivision (c), the lodging shall provide the guest with a confirmation form with the option to physically or electronically check one of the following statements:

(A) "I have read the provided notice and confirm that I am checking into this lodging or extending my stay because my home has been substantially damaged, destroyed, or made uninhabitable by a disaster and acknowledge that I will not be considered a tenant unless I have stayed here for 270 consecutive days."

(B) "I have read the provided notice and confirm that I am not checking into this lodging or extending my stay because my home has been substantially damaged, destroyed, or made uninhabitable by a disaster and acknowledge this does not apply to me."

(2) If a guest fails or refuses to select either of the statements specified in paragraph (1), the lodging may rely on other reasonable information to determine that a guest is subject to subdivision (b).

(3) If a guest fails or refuses to select either of the statements specified in paragraph (1), the lodging may limit the duration of stay or refuse to provide the guest accommodations.

(e) (1) Except as provided in paragraph (2), if a guest who is subject to subdivision (b) has resided in a lodging for more than 30 days, the lodging operator shall provide a written notice to the guest at least 72 hours before requiring the guest to vacate the lodging.

(2) A lodging shall not be required to provide a guest who is subject to subdivision (b) the notice described in paragraph (1) prior to requiring the guest to vacate the lodging if any of the following apply:

(A) The guest fails at any time to pay when due all room charges, fees, expenses, and other amounts owing.

(B) The guest interferes with the quiet enjoyment of other guests at the lodging.

(C) The lodging has reasonable grounds to believe that the guest has damaged, is damaging, or will damage any lodging or other property.

(D) The lodging has reasonable grounds to believe that the guest poses a risk of harm to other guests, employees, or others lawfully on the lodging property.

(f) This section does not apply to a guest residing in a lodging for a reason other than a disaster substantially damaging, destroying, or otherwise making uninhabitable their prior housing.

(g) This section shall remain in effect only until January 1, 2031, and as of that date is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To avert economic and social harm as a result of wildfires in the County of Los Angeles.