

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 299 (Gabriel)
Version: July 3, 2025
Hearing Date: July 15, 2025
Fiscal: No
Urgency: Yes
ID

SUBJECT

Motels, hotels, and short-term lodging: disasters

DIGEST

This bill specifies that a guest of a lodging may not have their continued occupancy constitute a new tenancy for the purposes of an unlawful detainer if the guest is living in the lodging because their prior housing was damaged, destroyed, or otherwise made uninhabitable by a disaster, even if they reside in the lodging for more than 30 days.

EXECUTIVE SUMMARY

In early January 2025, extremely dry conditions and high winds in Los Angeles resulted in two of the worst wildfires in state history: the Palisades and Eaton fires. The fires burned 37,469 acres and damaged or destroyed almost 18,000 structures, including 373 mobilehomes, and resulted in 29 fatalities. In addition, just under 13,000 households were displaced by the Palisades and Eaton fires, exacerbating Los Angeles' ongoing housing and homelessness crises. Many of those displaced by the fires found shelter in local hotels and motels. As the clean-up and rebuilding process will likely take many months, many of these displaced Angelenos may need continued temporary shelter.

However, when a hotel or motel guest stays longer than 30 days in their accommodation, they obtain various tenants' rights, including the right to not be forcibly removed without a judicial process called unlawful detainer. To encourage hotels and motels to provide temporary shelter to those displaced by the Eaton and Palisades fires and other disasters, AB 299 proposes to exempt guests of hotels and motels from the definition of a tenant when they are living in the lodging due to their previous housing being damaged, destroyed, or otherwise made uninhabitable by a disaster, even if they reside in the lodging for more than 30 days. AB 299 specifies that, for such guests, the lodging must provide 72 hours' notice to evict the guest. AB 299 would repeal its provisions on January 1, 2031.

AB 299 is author-sponsored, and is supported by the County of Los Angeles Board of Supervisors and a number of housing groups. It is opposed by the Western Center on Law and Poverty, Public Counsel, Tenants Together, ACCE, and a number of other tenants' rights groups. The bill contains an urgency clause.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Applies provisions of the Civil Code relating to the hiring of real property to all persons who hire dwelling units located within the state, including tenants, lessees, boarders, lodgers, and others, however denominated.
(Civ. Code § 1940(a).)
- 2) Defines the term "persons who hire" to exclude a person who maintains either of the following:
 - a) transient occupancy in a hotel, motel, residence club, or other facility when the transient occupancy is or would be subject to tax under Section 7280 of the Revenue and Taxation Code, excluding a person who has not made valid payments for all room and other related charges owing as of the last day on which their occupancy is or would be subject to tax, as specified; or
 - b) occupancy at a hotel or motel where the innkeeper retains a right of access to and control of the dwelling unit and the hotel or motel provides or offers all of the following services to all of the residents:
 - i) facilities for the safeguarding of personal property, as specified;
 - ii) central telephone service subject to tariffs covering the same filed with the California Public Utilities Commission;
 - iii) maid, mail, and room services;
 - iv) occupancy for periods of less than seven days; and
 - v) food service provided by a food establishment, as specified, located on or adjacent to the premises of the hotel or motel and owned or operated by the innkeeper or a person or entity pursuant to a lease or similar relationship with the innkeeper or person or entity affiliated with the innkeeper. (Civ. Code § 1940(b).)
- 3) Establishes that a tenant of real property is guilty of unlawful detainer in a number of specified circumstances, including when the tenant continues in possession without the permission of the landlord after default in the payment of rent pursuant to the lease or agreement under which the property is held, or after a neglect or failure to perform other conditions or covenants of the lease or agreement under which the property is held. (Code Civ. Proc. § 1161.)

- 4) Defines “tenant” for purposes of (3), above, to include any person who hires real property, except those persons whose occupancy is described in (2), above. (Code Civ. Proc. § 1161(7).)
- 5) Defines “hotel” for purposes of existing law governing innkeeping to mean any hotel, motel, bed and breakfast inn, or other similar transient lodging establishment, not including any residential hotel, as specified. (Civ. Code § 1865(a).)
- 6) Defines “guest” for purposes of existing law governing innkeeping to mean an occupant of a hotel whose occupancy is exempt from (1), above. (Civ. Code § 1865(b).)
- 7) Allows an innkeeper to evict a guest if the guest refuses or otherwise fails to fully depart the guest room at or before the innkeeper’s posted checkout time on the date agreed to by the guest, if certain conditions are met. (Civ. Code § 1865(c).)
- 8) Defines “short-term lodging” to mean a short-term rental, or a residential property in the 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 a residential hotel. (Bus. & Prof. Code § 17568.8.)
- 9) Provides that a shelter program participant shall not have their continued occupancy in a motel, hotel, or shelter program constitute a new tenancy and shall not be considered persons who hire for purposes of existing law governing unlawful detainer proceedings if the shelter program meets certain requirements. (Civ. Code § 1954.09.)
- 10) Specifies that the Governor is empowered to proclaim a state of emergency in an area affected or likely to be affected when:
 - a) they find that certain circumstances exist specified by Section 8558 of the Government Code; and
 - b) either the Governor:
 - i) is requested to proclaim a state of emergency by the mayor or chief executive of a city or the chairperson of the board of supervisors or the county administrator of a county; or
 - ii) finds that local authority is inadequate to cope with the emergency. (Gov. Code § 8625.)

This bill:

- 1) Specifies that a guest residing in a lodging may not have their continued occupancy constitute a new tenancy, and shall not be considered a person who hires pursuant

to Civil Code Section 1940 or for the purposes of specified provisions relating to unlawful detainer, 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.

- 2) Specifies that, if a guest subject to these provisions has resided in a lodging for more than 30 days, the lodging operator must provide written notice to the guest at least 72 hours before requiring the guest to vacate the lodging.
- 3) Defines, for the purposes of its provisions, the following terms:
 - a) “disaster” to mean 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 Government Code section 8625.
 - b) “Lodging” to mean any of the following:
 - i. A motel;
 - ii. A hotel;
 - iii. A property that either:
 1. If a local government required registration, licensure, or similar requirements for short-term lodgings on the date the disaster was declared or proclaimed, the property met those requirements; or
 2. If a local government did not have requirements for registration, licensure, or a similar requirement for short-term lodging of 30 days or less on the date the disaster was declared or proclaimed, the property met the definition of “short-term lodging” provided in Business and Professions Code section 17568.8.
- 4) Declares it an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of the California Constitution to avert economic and social harm as a result of the wildfires in the County of Los Angeles.

COMMENTS

1. Author’s statement

According to the author:

Following a devastating disaster like we’ve seen in Los Angeles, we must ensure that wildfire victims have access to a stable place to stay. This legislation will ensure that those who have been displaced can seek shelter at hotels, motels, and short-term rentals for more than 30 days without being kicked out or shuffled around. It is especially important that we ensure our children and families have

stability, security, and a sense of place while these communities are rebuilding and we work to identify longer-term housing.

2. The Palisades and Eaton fires were two of the most destructive fires in state history

In early January 2025, extremely dry conditions and high winds in Los Angeles resulted in two of the most destructive wildfires in state history. The Palisades fire, which started on January 7th, burned a total of 23,448 acres and damaged or destroyed almost 8,000 structures in the Pacific Palisades and Topanga State Park area of west Los Angeles.¹ That same day, another major fire also broke out in the greater Los Angeles area: the Eaton fire. The Eaton fire consumed 14,021 acres and damaged or destroyed more than 10,000 structures, including significant portions of the city of Altadena.² About half of all properties in the Pacific Palisades and Altadena were destroyed by the Palisades and Eaton fires, and both fires together tragically took the lives of 29 civilians and injured a dozen firefighters. Real estate losses have been estimated to be as high as \$30 billion, and just under 13,000 households were displaced by both fires.³ An estimated 9,592 single family homes and condominiums, 678 apartment units, 2,210 duplex and bungalow courts, and 373 mobilehomes were either heavily damaged or destroyed. Additionally, records show that about 770 rent-controlled units were destroyed in the Pacific Palisades. All told, the January wildfires in Los Angeles were some of the most tragic and destructive wildfires in state history. This destruction displaced thousands of residents, and in doing so, exacerbated the already severe housing crisis in Southern California.

3. Landlord-tenant law and long-term stays in hotels and motels

In the aftermath of the fires, many families have been in need of temporary shelter while debris is removed from their neighborhoods or their homes are repaired or rebuilt. One place many have turned to for temporary shelter has been hotels and motels. However, given the often long timelines for rebuilding and delays in removing toxic debris, many residents' stays in hotels have become more than short term stays.

Longer-term stays by hotel or motel guests present a problem for the hotel or motel. This is because, while the law treats residents at hotels and motels who stay at the lodging for less than 30 days as guests, hotel and motel guests become tenants once they have stayed for 30 days or more. (Civ. Code § 1940; Rev. & Tax. Code § 7280(a).) Guests

¹ CalFire, "Palisades Fire," (3/27/2025) <https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire>.

² CalFire, "Eaton Fire," (3/04/2025) <https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire>.

³ Doug Smith and Sandhya Kambhampati, "Real Estate losses from fires may top \$30 billion, from old mobile homes to \$23-million mansions," Los Angeles Times (Feb. 21, 2025) <https://www.latimes.com/california/story/2025-02-21/real-estate-losses-from-palisades-and-eaton-fires-top-30-billion#:~:text=Los%20Angeles%20Housing%20Department%20records,the%20city's%20rent%20stabilization%20ordinance>.

of a hotel or motel may be requested to leave at any time, and if the guest does not leave voluntarily, the hotel or motel may have law enforcement forcibly remove the guest as a trespasser. (Pen. Code § 602(o).)

However, once a hotel or motel guest has stayed for 30 days or more, they become a tenant, and the various rights afforded tenants apply to their stay at the hotel or motel. These rights include a right to specified notice of a termination of the tenancy and increases in rent, limitations on the amount that rent may be increased, protections against eviction except for specified reasons once the tenant has resided in the unit for 12 months or more, and protection against eviction. Most relevant to this bill is this last right: the right not to be forcibly removed without the opportunity to defend against the eviction in a civil proceeding called unlawful detainer. A landlord may not change the locks on a tenant or otherwise take an act to kick out a tenant on their own. (Civ. Code § 789.3.) Instead, they must pursue an order to obtain possession of the premises from the tenant by filing an unlawful detainer complaint in court. If the judge or a jury rules for the landlord, the court will issue a writ of possession, and the county sheriff will then execute the writ of possession to forcibly remove the tenant. If the tenant wins the unlawful detainer case, they will be allowed to remain on the premises, and may even be owed money from the landlord.

An unlawful detainer proceeding is very similar to standard civil proceedings, though with significantly shortened timelines. The unlawful detainer process recognizes the importance of housing to tenants, the property interest that tenants obtain in creating a tenancy, and the significant disruption that eviction poses to tenants. It protects a tenant's right not to be forcibly removed from their residence without a fair judicial proceeding and a right to be heard. However, to balance these interests with the interests of landlords to be able to promptly re-gain possession of their properties if the current tenant is not paying rent or is subject to eviction, the unlawful detainer process is a summary proceeding, meaning that it is a streamlined, fast-tracked judicial proceeding. Data shows that unlawful detainer cases are often very quick proceedings: 60% of unlawful detainers are resolved within 30 days.⁴ Yet unlawful detainer cases are nonetheless costly and complex, and take considerably longer than simply telling a resident to leave or be forced out by police.

For this reason, hotels and motels often attempt to prohibit a guest from staying for more than 30 days. Sometimes a hotel or motel simply kicks a guest out at 30 days, and sometimes the hotel or motel may engage in "shuffling," in which the guest is made to switch rooms, check out and re-register, or vacate the premises for a day. Shuffling guests in order to evade tenant protections is already unlawful under Civil Code section 1940.1, and can be punished by a civil penalty of up to \$500. (Civ. Code § 1940.1.) Yet, according to the author, hotels and motels may nonetheless still engage in shuffling in order to avoid having guests obtain tenant protections.

⁴ Inglis, *supra* note 5, p. 2.

The issue of shuffling residents of hotels has recently been a focus of legislation around government-sponsored shelter programs for those experiencing homelessness. During the COVID-19 pandemic, two programs, Project RoomKey and Project HomeKey, were launched to help house unhoused individuals in participating hotels and motels so that they may have shelter, stay safe from coronavirus, and prevent the further spread the virus. To encourage more hotels and motels to participate in the program, the Legislature passed AB 1991 (Gabriel, Ch. 645, Stats. 2022) to allow participating hotels and motels evict program participants outside of the unlawful detainer process even if they have resided in the hotel or motel for more than 30 days. A key rationale for AB 1991 was that it would prevent hotels and motels from engaging in shuffling of shelter program participants in order to avoid providing them tenants' rights.

AB 1991 required that participating hotels and motels meet specific requirements in order to obtain this protection, and established procedures that the hotel or motel must follow to evict a program participant. AB 1991 required that a participating shelter program establish rules for when a program participant may be evicted, and that these rules be documented and shared with program participants. (Civ. Code § 1954.09.) In addition, if the hotel or motel wishes to evict a program participant, AB 1991 generally required that the resident be provided 30 days' notice prior to the termination, that the resident be provided a way to appeal their eviction, and that the resident be provided an exit plan with referrals to other available shelters. (Civ. Code § 1954.09(a).) While the process created by AB 1991 originally included a sunset date of January 1, 2025, subsequent legislation made its provisions permanent. (AB 2835 (Gabriel), Ch. 209, Stats. 2024.)

4. AB 299 allows hotels and motels to provide shelter to those displaced by disaster without the risk that such guests obtain protection against eviction

In response to the Palisades and Eaton fires, Governor Newsom issued an Executive Order that, in addition to a number of other actions, exempted persons displaced due to the wildfires who are staying in hotels, motels, residence clubs, or other facilities from being classified as a tenant for the duration of their stay.⁵ This exemption initially expired on March 8, 2025; however, the Governor issued a subsequent Executive Order to extend it to July 1, 2025.⁶

AB 299 proposes to create a similar exemption to tenancy rights for hotel and motel residents who stay at the hotel or motel or short-term lodging for more than 30 days because they lost their housing to a disaster. If a hotel or motel guest is residing in the

⁵ Office of the Governor, *Executive Order N-14-25* (Jan. 27, 2025), available at <https://www.gov.ca.gov/2025/01/27/governor-newsom-cuts-red-tape-further-suspends-coastal-commission-rules-to-help-la-firestorm-survivors-rebuild/>.

⁶ Office of the Governor, *Executive Order N-23-25* (Mar. 7, 2025), available at <https://www.gov.ca.gov/2025/03/07/governor-newsom-extends-protections-for-la-firestorm-survivors/>.

lodging because their previous housing was damaged, destroyed, or otherwise made uninhabitable by a disaster, AB 299 would exempt them from tenant protections and protections against eviction, even when they stay for more than 30 days. Instead, the hotel or motel would be required provide the guest at least 72 hours to vacate their room before the hotel or motel can summon law enforcement to forcibly remove the guest. AB 299 would apply to hotels and motels, as well as to certain short-term rentals. While the impetus for AB 299 is the Palisades and Eaton fires, it would apply more broadly to any disaster for which the federal government or the state declare a state of emergency. AB 299 is also not limited by any set amount of time; in theory, it could apply to a hotel or motel guest who has resided in the lodging for even a year or more. AB 299 includes a sunset that repeals its provisions on January 1, 2031.

The policy being proposed by AB 299 has important ramifications. A tenant's right not to be evicted but through a judicial proceeding is a vital right. It protects a tenant's right to use the premises they contracted for as their permanent residence, and helps ensure that they cannot be kicked out without notice and an opportunity to argue why they should be able to keep their tenancy. While short-term stays in a hotel or motel are often temporary and thus provide the guest little right to remain on the premises, the longer a guest resides at a particular residence, the greater the interest they have in remaining and receiving fair process if they are requested to leave. Thus, a resident of a hotel or motel who stays there for a considerable amount of time nonetheless deserves tenants' rights, irrespective of the fact that their residence happens to be a hotel or motel. Under current law, this is still the case, since a hotel guest obtains tenants' rights after residing in the hotel for more than 30 days.

AB 299 is creating an exception to this rule, and thus limiting the rights of hotel and motel guests who otherwise would receive tenant protections. It does so in the case of guests who are experiencing housing instability as survivors of a disaster that rendered their previous housing uninhabitable. These guests deserve some protection against arbitrary and unjust evictions, even from a hotel or motel that they are using as temporary shelter. Yet, because they likely intend only to reside in the hotel or motel temporarily, full tenant protections may not be necessary. Nonetheless, AB 299 is focused primarily on encouraging hotels and motels to offer survivors of disaster longer stays to recover and find more permanent housing. This could result in many people already being provided housing in hotels and motels as a result of the Palisades and Eaton fires being afforded the ability to stay in their accommodations longer. It also may prevent some hotels and motels from engaging in the unlawful practice of shuffling, thereby providing some additional stability to guests. This trade off may be worthwhile in the context of disasters as destructive as the Palisades and Eaton fires, though some level of protection for longer-term residents of hotels or motels is important to ensure such residents' rights and housing security.

5. Amendments

To address concerns raised by opposition regarding the bill, the author has agreed to accept a number of amendments. These amendments limit the bill's applicability to nine months after the declaration of a disaster, and require hotels, motels, and short-term lodging to provide a specified notice to guests who will be residing in the lodging for more than 30 days under these provisions. A full mock-up of these amendments is attached at the end of this analysis.

6. Arguments in support

According to the County of Los Angeles Board of Supervisors, who support AB 299:

[AB 299] would help provide temporary housing stability for wildfire victims during a critical recovery period while keeping as many rental units as possible open.

The devastation of the January 2025 Los Angeles County wildfires is unprecedented in scope and cost. Tens of thousands of families are now entering the already difficult rental housing market, while thousands more Angelenos have lost their livelihoods, and will be struggling to make rent as they wait for assistance through unemployment, the Federal Emergency Management Agency, or other relief programs.

Los Angeles already had one of the most unaffordable housing markets in the country and largest homeless population before the wildfires, and the impact of the wildfires will reverberate throughout our region for years to come. While price gouging laws are in effect, and the County and other jurisdictions have additional renter protections, the dual emergencies of a natural disaster and the housing affordability crisis call for action.

You have answered the call by introducing legislation to ensure the unaffordability crisis does not become worse, and to keep people in the housing they are in to prevent more people from falling into homelessness.

Under AB 299, guests who are displaced by wildfires can remain in their temporary accommodations without triggering standard tenancy rules that might otherwise limit their stay or expose them to potential eviction.

There is no doubt that the wildfires will have a long-lasting ripple effect on our housing market across the County. AB 299 is a vital tool in mitigating those ripple effects and not worsen our housing and homelessness crisis.

7. Arguments in opposition

According to the Alliance of Californians for Community Empowerment, which is opposed to AB 299 with a coalition of tenants' groups:

On behalf of our low-income clients, we respectfully must oppose AB 299 unless amended. AB 299 provides that people whose homes were damaged, destroyed, or made uninhabitable by a declared disaster who move to a hotel, motel, or short-term rental will not gain tenancy rights after 30 days, as would be the case under current law. While we appreciate that the goal of the bill is to remove perceived barriers to housing those displaced by a disaster, we are concerned about negative impacts both to disaster-impacted individuals and to vulnerable tenants already living in hotels and motels.

For those fleeing a disaster, hotels and motels are often the fastest way to obtain temporary housing. We appreciate the need to ensure immediate shelter options for those households. However, we must avoid creating a second-class tier of tenancy, in which disaster-impacted individuals are denied tenancy rights even after the immediate need for shelter wanes. Without a time limit on AB 299's policy, those with the least means to return to their homes or obtain alternative housing will be left with what is in reality a long-term tenancy, but without well-established tenancy rights. For existing tenants living in hotels, motels, or short-term rentals, the lack of documentation requirements could make AB 299 ripe for abuse by unscrupulous owners who will assert that certain guests are exempt from tenancy protections when they are not. For everyone, clear notice of their rights is critical.

To address these issues we request the following amendments:

1. Require a hotel, motel, or short-term rental to provide 30 days' written notice before requiring a person displaced by a disaster to vacate.
2. Limit the application of AB 299 to six months following a disaster declaration. After six months, displaced people who were subject to AB 299 at initial occupancy will become tenants.
3. Require a hotel, motel, or short-term rental to provide clear, written notice to those checking in that if they are a person displaced by a disaster, their occupancy will not constitute a tenancy unless their stay lasts beyond six months following the disaster declaration. The notice should conspicuously state the date that the six months expires.
4. Require a hotel, motel, or short-term rental to document, in writing and with proof of prior address, which guests are subject to the AB 299 exception to the rule that a tenancy is created after 30 days.

SUPPORT

California Association of Realtors
California YIMBY
County of Los Angeles Board of Supervisors
Housing Action Coalition

OPPOSITION

Alliance of Californians for Community Empowerment (ACCE)
California Rural Legal Assistance Foundation
Leadership Counsel for Justice & Accountability
National Alliance to End Homelessness
Public Advocates
Public Counsel
Strategic Actions for a Just Economy (SAJE)
Tenants Together

RELATED LEGISLATION

Pending Legislation:

SB 610 (Pérez, 2025) makes various changes to landlord-tenant law, to the Mobilehome Residency Law regarding mobilehome parks, and to the Subdivision Map Act to provide additional protections to tenants and mobilehome owners during disasters. SB 610 is currently pending before the Assembly Judiciary Committee.

SB 522 (Wahab, 2025) provides that the exemption from just-cause eviction protections for housing built within the last 15 years does not apply to housing built to replace housing substantially damaged or destroyed by a disaster, if the previous housing was covered by just-cause protections, and other requirements are met. SB 522 is currently pending before this Committee.

AB 311 (McKinnor, 2025) authorizes a tenant to temporarily permit a person at risk of homelessness to reside in their unit, regardless of the terms of the tenant's lease, and includes in the definition of a person at risk of homelessness a person who is displaced as a result of a disaster in an area in which a state of emergency has been declared. AB 311 is currently pending before the Senate Judiciary Committee.

AB 246 (Bryan, 2025) prohibits an owner of residential real property from increasing the rental rate for a dwelling unit that had a tenant in lawful possession of the unit on or before January 7, 2025, and that is located in Los Angeles County, by more than three percent of the rental rate charged for the unit on January 7, 2025, as specified. Authorizes the district attorney, county counsel, or city attorney to enforce its

provisions and obtain a civil penalty of \$10,000 for a violation. AB 246 is currently pending before this Committee.

Prior Legislation:

AB 2835 (Gabriel, Ch. 209, Stats. 2023) eliminated the sunset date on tenancy rules governing occupancy in shelter programs operated out of privately owned hotels and motels, and made changes to the procedures for terminating a shelter program participant from such a program.

AB 1991 (Gabriel, Ch. 645, Stats. 2022) provided that hotels and motels can evict a guest who is a participant in a shelter program without the need to go through the unlawful detainer process in the courts even if the guest has stayed longer than 30 days, provided that the shelter program operates with specified characteristics.

PRIOR VOTES:

Assembly Floor (Ayes 77, Noes 0)

Assembly Housing and Community Development Committee (Ayes 11, Noes 0)

Mock-up of Amendments for AB-299 (Gabriel (A) , Rivas (A))
(Amendments may be subject to technical changes by Legislative Counsel)
****** Amendments are in BOLD, removed language in strikethrough******

Mock-up based on Version Number 97 - Amended Senate 7/3/25

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

SECTION 1. Section 1954.079 is added to the Civil Code, to read:

1954.079. (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) At or before the time when a guest subject to subdivision (b) physically or electronically reserves or extends a stay which would result in the guest residing in a

lodging for more than 30 consecutive days, a lodging or 3rd party online booking entity, if used, shall provide the following notice in physical or electronic written form, in at least 12-point font 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 lived here for more than 270 days consecutively. 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 days consecutively, the lodging 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 or 3rd party online booking entity believes you are residing here as a result of 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) A lodging may request and rely upon, among other reasonable confirmations, written affirmation from a guest that they are living in the lodging as a result of their prior housing being destroyed or otherwise made uninhabitable by a disaster.

~~(e)~~

~~(e) If a guest who is subject to subdivision (b) covered by this section 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.~~

~~(d)~~

~~(f) 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.