
THIRD READING

Bill No: AB 299
Author: Gabriel (D) and Rivas (D)
Amended: 9/5/25 in Senate
Vote: 27 - Urgency

SENATE JUDICIARY COMMITTEE: 12-0, 7/15/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Weber Pierson, Wiener

NO VOTE RECORDED: Wahab

ASSEMBLY FLOOR: 77-0, 4/1/25 - See last page for vote

SUBJECT: Motels, hotels, and short-term lodging: disasters

SOURCE: Author

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 the they reside in the lodging for more than 30 days, until they reside in the lodging for 270 consecutive days, requires a lodging to provide a guest it believes is subject to these provisions a specified notice and confirmation form, and requires that a lodging provide at least 72 hours' written notice before a covered guest is removed from the lodging, as specified.

Senate floor amendments of 9/5/25 rewrite the bill's provisions regarding the required notice to be provided to a resident when a lodging believes, at or before the time of check-in for a stay that would result in the resident staying in the lodging for more than 30 days; remove third-party online booking entities from the notice requirement; make minor changes to the language of the required notice; require the lodging to provide a guest with a confirmation form on which the guest can confirm that they are staying because their home was substantially damaged, destroyed, or made uninhabitable by a disaster and that they acknowledge that they will not be considered a tenant unless they have stayed in the lodging for 270

consecutive days; permit a lodging to limit the duration of the stay or refuse to provide a guest accommodations if the guest fails to sign the confirmation; and specify that a lodging shall not be required to provide a guest subject to its provisions with the required 72-hour notice when the guest has done or failed to do specified acts.

ANALYSIS:

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. (Civil Code (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 of Civil Procedure (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. (Business and Professions Code (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. (Government Code (Gov. Code) §8625.)

This bill:

- 1) Specifies that a guest residing in a lodging shall 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, until the guest has resided in the lodging for 270 days.
- 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, except in the following circumstances:
 - 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; or if
 - 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 property.
- 3) Requires, at or before the time when a guest subject to its provisions checks in for a stay that would result in the guest residing in the lodging for more than 30 consecutive days, that the lodging provide the following notice, as specified, if the lodging believes that the guest is subject to (1), above:

“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 270 days or more 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 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 residing 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.”

- 4) Requires a lodging, after providing the notice in (3), to provide the guest with a confirmation form, on which the guest can 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.”
- 5) Permits, if a guest fails or refuses to select either of the statements in (4), the lodging to rely upon other reasonable information to determine that a guest is subject to (1).
- 6) Permits a lodging to limit the duration of a guest’s stay or to refuse to provide the guest accommodations if the guest fails or refuses to select either of the statements specified in (4), above.
- 7) 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.
- 8) Specifies that its provisions do not apply to a guest who is residing in a lodging for a reason other than that a disaster substantially damaged, destroyed, or otherwise made uninhabitable their prior housing.
- 9) 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.
- 10) Repeals its provisions on January 1, 2031.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/8/25)

American Planning Association, California Chapter
 California Association of Realtors
 California Democratic Party
 California State Association of Counties
 California Yimby
 City and County of San Francisco

County of Los Angeles Board of Supervisors
Housing Action Coalition
United Way of Greater Los Angeles

OPPOSITION: (Verified 9/8/25)

None received

ARGUMENTS IN SUPPORT: According to the County of Los Angeles Board of Supervisors, who support this bill:

[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.

ASSEMBLY FLOOR: 77-0, 4/1/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, DeMaio, Dixon, Elhawary, Ellis, Essayli, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Davies, Wicks

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
9/8/25 21:08:13

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