

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H.B. 41  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30023-NK-11

Short Title: Hotel Safety Issues.

(Public)

Sponsors: Representative Bradford.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THAT OCCUPANTS OF ACCOMMODATIONS PROVIDED BY  
3 HOTELS, MOTELS, OR SIMILAR LODGINGS DO NOT CREATE A TENANCY AND  
4 ARE NOT SUBJECT TO CHAPTER 42 OF THE GENERAL STATUTES AND TO  
5 CLARIFY THAT THESE OCCUPANCIES ARE GOVERNED BY THE STATUTES  
6 RELATING TO INNS, HOTELS, AND OTHER TRANSIENT OCCUPANCIES.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. Article 1 of Chapter 42 of the General Statutes is amended by adding  
9 a new section to read:

10 "**§ 42-14.6. Transient occupancies excluded.**

11 The provisions of this Chapter shall not apply to transient occupancies, as defined in  
12 G.S. 72-1(c). An agreement related to a transient occupancy shall not be deemed to create a  
13 tenancy or a residential tenancy unless expressly provided in the agreement."

14 SECTION 2. G.S. 72-1 reads as rewritten:

15 "**§ 72-1. Must furnish accommodations; contracts for termination valid.**

16 (a) Every innkeeper shall at all times provide suitable lodging accommodations for  
17 persons accepted as guests in ~~his inn or hotel~~ an inn, hotel, motel, recreational vehicle park,  
18 campground, or other similar transient occupancy.

19 (b) A written statement setting forth the time period during which a guest may occupy an  
20 assigned room, signed or initialed by the guest, shall be deemed a valid contract, and at the  
21 expiration of such time period the lodger may be restrained from entering and any property of  
22 the guest may be removed by the innkeeper without liability, except for damages to or loss of  
23 such property attributable to its removal.

24 (c) For the purposes of this section, a "transient occupancy" is the rental of an  
25 accommodation by an inn, hotel, motel, recreational vehicle park, campground, or similar  
26 lodging to the same guest or occupant for fewer than 90 consecutive days."

27 SECTION 3. This act is effective when it becomes law and applies to a person  
28 renting an accommodation in an inn, hotel, motel, recreational vehicle park, campground, or  
29 similar lodging facility on or after that date. A person's rental period shall be calculated from the  
30 first day of consecutive occupation, or right of occupation, in the lodging facility regardless of  
31 whether the period began before the effective date of this act.

