



HOUSE BILL 352: Hotel Safety Issues.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 14, 2021
Introduced by:	Reps. Bradford, Mills, Moffitt, Richardson	Prepared by:	Brian Gwyn
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 352 would clarify that occupants of accommodations provided by hotels, motels, recreational vehicle parks, campgrounds, or similar lodgings do not create a tenancy and are not subject to Chapter 42 of the General Statutes. Additionally, the bill would clarify that these occupancies are governed by the statutes relating to inns, hotels, recreational vehicle parks, campgrounds, and other transient occupancies.*

CURRENT LAW: Chapter 42 of the General Statutes governs the rights and responsibilities of landlords and tenants in North Carolina. G.S. 42-39(a) excludes from the requirements of Article 5 of Chapter 42 (Residential Rental Agreements) transient occupancy in a hotel, motel, or similar lodging subject to regulation by the Commission for Public Health.

Chapter 72 of the General Statutes regulates inns, hotels, and restaurants. G.S. 72-1 requires innkeepers to provide suitable lodging accommodations for inn or hotel guests. A written statement with the time period a guest can occupy a designated room is a valid contract.

BILL ANALYSIS: House Bill 352 would exclude transient occupancies from the rights and responsibilities of landlords and tenants under Chapter 42 of the General Statutes. A transient occupancy would be defined as the rental of an accommodation by an inn, hotel, motel, recreational vehicle park, campground, or similar lodging to the same guest or occupant for fewer than 90 consecutive days. Additionally, the bill would clarify that that transient occupancies are governed by Chapter 72 of the General Statutes.

EFFECTIVE DATE: The bill would be effective when it becomes law and would apply to a person renting an accommodation in a hotel, motel, recreational vehicle park, campground, or similar lodging facility on or after that date. A person's rental period must be calculated from the first day of consecutive occupation or right of occupation in the lodging facility, regardless of whether the period began before the effective date.

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