

AMENDED IN ASSEMBLY JUNE 8, 2016

AMENDED IN SENATE APRIL 21, 2016

AMENDED IN SENATE MARCH 28, 2016

**SENATE BILL**

**No. 1092**

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**Introduced by Senator Monning**

February 17, 2016

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An act to amend Sections 22592 and 22594 of the Business and Professions Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

SB 1092, as amended, Monning. Advertising: Internet private residence rental listings: notice.

Existing law requires a hosting platform, as defined, to provide a specific notice to an occupant listing a residence for short-term rental on a hosting platform that states, among other things, that, if the occupant is a tenant, listing the room, home, condominium, or apartment may violate the lease or contract and could result in legal action by the landlord, including possible eviction. Existing law requires the notice to be in a particular font size and be provided immediately before the occupant lists each real property on the hosting platform's Internet Web site in a manner that requires the occupant to interact with the hosting platform's Internet Web site to affirmatively acknowledge he or she has read the notice.

This bill would require that notice to also *be provided to mobilehome offerors and* include a statement advising the offeror to review any restrictions on coverage under the offeror's homeowners' or renters' insurance policy related to short-term rental activities, as specified, and would make technical and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 22592 of the Business and Professions  
2 Code is amended to read:  
3 22592. A hosting platform shall provide the following notice  
4 to an offeror listing a residence for short-term rental on the hosting  
5 platform:  
6 (a) If you are a tenant who is listing a room, home, *mobilehome*,  
7 condominium, or apartment, please refer to your rental contract  
8 or lease, or contact your landlord, prior to listing the property to  
9 determine whether your lease or contract contains restrictions that  
10 would limit your ability to list your room, home, *mobilehome*,  
11 condominium, or apartment. Listing your room, home, *mobilehome*,  
12 condominium, or apartment may be a violation of your lease or  
13 contract, and could result in legal action against you by your  
14 landlord, including possible eviction.  
15 (b) You should review any restrictions on coverage under your  
16 homeowners’ or renters’ insurance policy related to short-term  
17 rental activities to ensure that there is appropriate insurance  
18 coverage in the event that a person sustains an injury or loss for  
19 which you are responsible, a person damages or causes loss to  
20 your personal or real property, or a claim or lawsuit is made against  
21 you or otherwise arises out of activities related to this hosting  
22 platform.  
23 SEC. 2. Section 22594 of the Business and Professions Code  
24 is amended to read:  
25 22594. (a) The notice required by Section 22592 shall be in a  
26 font size that is equal to or greater than 100 percent of the standard  
27 font size of the other paragraphs on the hosting platform’s Internet  
28 Web site or equal to the default font size on the hosting platform’s  
29 Internet Web site.  
30 (b) The notice shall be provided immediately before the offeror  
31 lists each real property on the hosting platform’s Internet Web site,  
32 and shall require the offeror to interact with the hosting platform’s  
33 Internet Web site to affirmatively acknowledge he or she has read  
34 the notice. This affirmative acknowledgment may be accomplished  
35 by the inclusion of a statement in the notice described in Section

- 1 22592 that the offeror acknowledges reading this notice before
- 2 proceeding to list a real property with the hosting platform's
- 3 Internet Web site.

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