

2014356e1

1 A bill to be entitled
2 An act relating to the regulation of public lodging
3 establishments and public food service establishments;
4 amending s. 509.032, F.S.; prohibiting a local law,
5 ordinance, or regulation from limiting the frequency
6 of rentals or setting a minimum stay requirement for a
7 vacation rental of greater than 7 days; providing an
8 exception for certain laws, ordinances, or
9 regulations; removing the preemption preventing local
10 laws, ordinances, or regulations from regulating the
11 use of vacation rentals based solely on their
12 classification, use, or occupancy; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Subsection (7) of section 509.032, Florida
18 Statutes, is amended to read:

19 509.032 Duties.—

20 (7) PREEMPTION AUTHORITY.—

21 ~~(a)~~ The regulation of public lodging establishments and
22 public food service establishments, including, but not limited
23 to, sanitation standards, inspections, training and testing of
24 personnel, and matters related to the nutritional content and
25 marketing of foods offered in such establishments, is preempted
26 to the state. This subsection ~~paragraph~~ does not preempt the
27 authority of a local government or local enforcement district to
28 conduct inspections of public lodging and public food service
29 establishments for compliance with the Florida Building Code and

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30 the Florida Fire Prevention Code, pursuant to ss. 553.80 and
31 633.206. A local law, ordinance, or regulation may not limit the
32 frequency of rentals or set a minimum stay requirement for a
33 vacation rental of greater than 7 days. This subsection does not
34 apply to any local law, ordinance, or regulation adopted on or
35 before June 1, 2011.

36 ~~(b) A local law, ordinance, or regulation may not restrict~~
37 ~~the use of vacation rentals, prohibit vacation rentals, or~~
38 ~~regulate vacation rentals based solely on their classification,~~
39 ~~use, or occupancy. This paragraph does not apply to any local~~
40 ~~law, ordinance, or regulation adopted on or before June 1, 2011.~~

41 ~~(c) Paragraph (b) does not apply to any local law,~~
42 ~~ordinance, or regulation exclusively relating to property~~
43 ~~valuation as a criterion for vacation rental if the local law,~~
44 ~~ordinance, or regulation is required to be approved by the state~~
45 ~~land planning agency pursuant to an area of critical state~~
46 ~~concern designation.~~

47 Section 2. This act shall take effect July 1, 2014.