



528946

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2010	.	
	.	
	.	
	.	

---

---

The Committee on Health Regulation (Bennett) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 66 - 223  
and insert:

(5) "Occupancy" means the length of time that a recreational vehicle is occupied by a transient guest and not the length of time that such vehicle is located on the leased recreational vehicle site. A recreational vehicle may be stored and tied down on site when not in use to accommodate the needs of the guest. The attachment of a recreational vehicle to the ground by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar



528946

13 appurtenances by way of removable attaching devices, do not  
14 render the recreational vehicle a permanent part of the  
15 recreational vehicle site.

16 (10)(9) "Recreational vehicle" has the same meaning as  
17 provided for the term "recreational vehicle-type unit" in s.  
18 320.01. However, the terms "temporary living quarters" and  
19 "seasonal or temporary living quarters" as used in s. 320.01, in  
20 reference to recreational vehicles placed in recreational  
21 vehicle parks, relate to the period of time the recreational  
22 vehicle is occupied as living quarters during each year and not  
23 to the period of time it is located in the recreational vehicle  
24 park. During the time the recreational vehicle is not occupied  
25 as temporary or seasonal quarters, it may be stored and tied  
26 down on the recreational vehicle site. The affixing of a  
27 recreational vehicle to the ground by way of tie-downs or other  
28 removable fasteners, and the attachment of carports, porches,  
29 screen rooms, and similar appurtenances by way of removable  
30 attaching devices, does not render the recreational vehicle a  
31 permanent part of the recreational vehicle site.

32 Section 2. Section 513.012, Florida Statutes, is amended to  
33 read:

34 513.012 Public health laws; enforcement.—It is the intent  
35 of the Legislature that mobile home parks, lodging parks,  
36 recreational vehicle parks, and recreational camps be regulated  
37 under this chapter. As such, the department shall uniformly  
38 administer and enforce, with respect to such parks and camps  
39 throughout this state, laws and rules provided pursuant ss.  
40 513.01-513.1115 which are related, but not limited, relating to  
41 sanitation, control of communicable diseases, illnesses and



528946

42 hazards to health among humans and from animals to humans, and  
43 the general health of the people of the state. However, nothing  
44 in this chapter qualifies a mobile home park, a lodging park, a  
45 recreational vehicle park, or a recreational camp for a liquor  
46 license issued under s. 561.20(2)(a)1. Mobile home parks,  
47 lodging parks, recreational vehicle parks, and recreational  
48 camps regulated under this chapter are exempt from regulation  
49 under the provisions of chapter 509.

50 Section 3. Section 513.014, Florida Statutes, is amended to  
51 read:

52 513.014 Applicability of recreational vehicle park  
53 provisions to mobile home parks.—A mobile home park that has  
54 five or more sites set aside for recreational vehicles shall,  
55 for those sites set aside for recreational vehicles, comply with  
56 the recreational vehicle park requirements included in this  
57 chapter. This section does not require a mobile home park with  
58 spaces set aside for recreational vehicles to obtain two  
59 licenses. ~~However, a mobile home park that rents spaces to~~  
60 ~~recreational vehicles on the basis of long term leases is~~  
61 ~~required to comply with the laws and rules relating to mobile~~  
62 ~~home parks including but not limited to chapter 723, if~~  
63 ~~applicable.~~

64 Section 4. Section 513.02, Florida Statutes, is amended to  
65 read:

66 513.02 Permits ~~Permit~~.—

67 (1) A person may not establish or maintain a mobile home  
68 park, lodging park, recreational vehicle park, or recreational  
69 camp in this state without first obtaining an operating ~~a~~ permit  
70 from the department. ~~Such permit is not transferable from one~~



528946

71 ~~place or person to another. Each permit must be renewed~~  
72 ~~annually.~~

73 (2) Prior to commencement of construction of a new park or  
74 camp, or any change to an existing park or camp that requires  
75 construction of new sanitary facilities or additional permitted  
76 sites, a person who operates or maintains such park or camp must  
77 contact the department to receive a construction review and  
78 approval. The items required to be submitted and the process for  
79 issuing a construction review and approval shall be set by  
80 department rule.

81 (3) (a) An operating permit is not transferable from one  
82 place or person to another. Each permit must be renewed  
83 annually.

84 (b) (2) The department may refuse to issue an operating a  
85 permit to, or refuse to renew the operating permit of, any park  
86 or camp that is not constructed or maintained in accordance with  
87 law and with the rules of the department.

88 (c) (3) The department may suspend or revoke an operating a  
89 permit issued to any person that operates or maintains such a  
90 park or camp if such person fails to comply with this chapter or  
91 the rules adopted by the department under this chapter.

92 (d) (4) An operating A permit for the operation of a park or  
93 camp may not be renewed or transferred if the permittee has an  
94 outstanding fine assessed pursuant to this chapter which is in  
95 final-order status and judicial reviews are exhausted, unless  
96 the transferee agrees to assume the outstanding fine.

97 (e) (5) When a park or camp regulated under this chapter is  
98 sold or its ownership transferred, the purchaser transferee must  
99 apply for an operating a permit to the department within 30 days



528946

100 after ~~before~~ the date of sale transfer. The applicant must  
101 provide the department with a copy of the recorded deed or lease  
102 agreement before the department may issue an operating a permit  
103 to the applicant.

104 Section 5. Section 513.03, Florida Statutes, is amended to  
105 read:

106 513.03 Application for and issuance of permit.—

107 (1) An application for an operating a permit must be made  
108 in writing to the department, on a form prescribed by the  
109 department. The application must state the location of the  
110 existing or proposed park or camp; the type of park or camp;  
111 the number of mobile homes or recreational vehicles to be  
112 accommodated; ~~or~~ the number of recreational campsites,  
113 buildings, and sites set aside for group camping, including  
114 barracks, cabins, cottages, and tent spaces; the type of water  
115 supply; the method of sewage disposal; and any other  
116 information the department requires.

117 (2) If the department is satisfied, after reviewing the  
118 application of the proposed or existing park or camp and causing  
119 an inspection to be made, that the park or camp complies with  
120 this chapter and is so located, constructed, and equipped as not  
121 to be a source of danger to the health of the general public,  
122 the department shall issue the necessary construction approval  
123 or operating permit, in writing, on a form prescribed by the  
124 department.

125 Section 6. Subsection (1) of section 513.045, Florida  
126 Statutes, is amended to read:

127 513.045 Permit fees.—

128 (1) (a) Each person seeking a permit to establish, operate,



528946

129 or maintain a mobile home park, lodging park, recreational  
130 vehicle park, or recreational camp must pay to the department a  
131 fee, the amount of which shall be set by rule of the department.

132 (b) Fees established pursuant to this subsection must be  
133 based on the actual costs incurred by the department in carrying  
134 out its responsibilities under this chapter.

135 1. The fee for an annual operating a permit may not be set  
136 at a rate that is more than \$6.50 per space or less than \$3.50  
137 per space. ~~Until rules setting these fees are adopted by the~~  
138 department, the permit fee per space is \$3.50. The annual  
139 operating permit fee for a nonexempt recreational camp shall be  
140 based on an equivalency rate for which two camp occupants equal  
141 one space. The total fee assessed to an applicant for an annual  
142 operating permit may not be more than \$600 or less than \$50,  
143 except that a fee may be prorated on a quarterly basis. Failure  
144 to pay an annual operating permit fee in a timely manner shall  
145 result in the assessment of late fees by the department.

146 2. A person who seeks department review of plans for a  
147 proposed park or camp may submit such plans to the department  
148 for an assessment of whether such plans meet the requirements of  
149 this chapter and the rules adopted under this chapter.

150 3. A person constructing a new park or camp or adding  
151 spaces or renovating an existing park or camp shall, prior to  
152 such construction, renovation, or addition, submit construction  
153 plans to the department for department review and approval.

154  
155 ===== T I T L E A M E N D M E N T =====

156 And the title is amended as follows:

157 Delete lines 17 - 21



528946

158 and insert:  
159 proposed park or camp; requiring certain construction and  
160 renovation plans to be submitted to the department for review  
161 and approval; amending s. 513.05, F.S.;