



188670

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2011	.	
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The Committee on Budget Subcommittee on General Government Appropriations (Diaz de la Portilla) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 1054 - 1061  
and insert:

Section 31. Paragraph (b) of subsection (1) and subsection (8) of section 501.160, Florida Statutes, is amended to read:

501.160 Rental or sale of essential commodities during a declared state of emergency; prohibition against unconscionable prices.—

(1) As used in this section:

(b) It is prima facie evidence that a price is unconscionable if:



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13           1. The amount charged represents a gross disparity between  
14 the price of the commodity or rental or lease of any dwelling  
15 unit or self-storage facility that is the subject of the offer  
16 or transaction and the average price at which that commodity or  
17 dwelling unit or self-storage facility was rented, leased, sold,  
18 or offered for rent or sale in the usual course of business  
19 during the 30 days immediately prior to a declaration of a state  
20 of emergency, unless ~~and~~ the increase in the amount charged is  
21 ~~not~~ attributable to additional costs incurred in connection with  
22 the rental or sale of the commodity or rental or lease of any  
23 dwelling unit or self-storage facility, or regional, national or  
24 international market trends; or

25           2. The amount charged grossly exceeds the average price at  
26 which the same or similar commodity was readily obtainable in  
27 the trade area during the 30 days immediately prior to a  
28 declaration of a state of emergency, unless ~~and~~ the increase in  
29 the amount charged is ~~not~~ attributable to additional costs  
30 incurred in connection with the rental or sale of the commodity  
31 or rental or lease of any dwelling unit or self-storage  
32 facility, or regional, national or international market trends.

33           (8) Any violation of this section may be enforced by the  
34 ~~Department of Agriculture and Consumer Services,~~ the office of  
35 the state attorney~~7~~, or the Department of Legal Affairs.

36  
37 ===== T I T L E   A M E N D M E N T =====

38 And the title is amended as follows:

39           Delete line 100

40 and insert:

41           declared state of emergency; authorizing regional



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comparison with respect to market trends; amending s.  
501.605,