

By Senator Wise

5-00438A-12

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1 A bill to be entitled
2 An act relating to public lodging establishments;
3 amending s. 509.013, F.S.; revising the definition of
4 the term "public lodging establishment" to exclude
5 certain apartment complexes designated primarily as
6 housing for persons at least 55 years of age;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (4) of section 509.013, Florida
12 Statutes, is amended to read:

13 509.013 Definitions.—As used in this chapter, the term:

14 (4) (a) "Public lodging establishment" includes a transient
15 public lodging establishment as defined in subparagraph 1. and a
16 nontransient public lodging establishment as defined in
17 subparagraph 2.

18 1. "Transient public lodging establishment" means any unit,
19 group of units, dwelling, building, or group of buildings within
20 a single complex of buildings which is rented to guests more
21 than three times in a calendar year for periods of less than 30
22 days or 1 calendar month, whichever is less, or which is
23 advertised or held out to the public as a place regularly rented
24 to guests.

25 2. "Nontransient public lodging establishment" means any
26 unit, group of units, dwelling, building, or group of buildings
27 within a single complex of buildings which is rented to guests
28 for periods of at least 30 days or 1 calendar month, whichever
29 is less, or which is advertised or held out to the public as a

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30 place regularly rented to guests for periods of at least 30 days
31 or 1 calendar month.

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33 License classifications of public lodging establishments, and
34 the definitions therefor, are set out in s. 509.242. For the
35 purpose of licensure, the term does not include condominium
36 common elements as defined in s. 718.103.

37 (b) The following are excluded from the definitions in
38 paragraph (a):

39 1. Any dormitory or other living or sleeping facility
40 maintained by a public or private school, college, or university
41 for the use of students, faculty, or visitors.†

42 2. Any facility certified or licensed and regulated by the
43 Agency for Health Care Administration or the Department of
44 Children and Family Services or other similar place regulated
45 under s. 381.0072.†

46 3. Any place renting four rental units or less, unless the
47 rental units are advertised or held out to the public to be
48 places that are regularly rented to transients.†

49 4. Any unit or group of units in a condominium,
50 cooperative, or timeshare plan and any individually or
51 collectively owned one-family, two-family, three-family, or
52 four-family dwelling house or dwelling unit that is rented for
53 periods of at least 30 days or 1 calendar month, whichever is
54 less, and that is not advertised or held out to the public as a
55 place regularly rented for periods of less than 1 calendar
56 month, provided that no more than four rental units within a
57 single complex of buildings are available for rent.†

58 5. Any migrant labor camp or residential migrant housing

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59 permitted by the Department of Health under ss. 381.008-
60 381.00895.~~;~~

61 6. Any establishment inspected by the Department of Health
62 and regulated by chapter 513.~~;~~ ~~and~~

63 7. Any nonprofit organization that operates a facility
64 providing housing only to patients, patients' families, and
65 patients' caregivers and not to the general public.

66 8. Any apartment complex inspected by the United States
67 Department of Housing and Urban Development or other entity
68 acting on the department's behalf that is designated primarily
69 as housing for persons at least 55 years of age.

70 Section 2. This act shall take effect upon becoming a law.