

1 A bill to be entitled
2 An act relating to public lodging establishments;
3 amending ss. 509.092, 509.141, and 509.142, F.S.;
4 revising provisions to prohibit the operator of a
5 public lodging establishment from refusing
6 accommodations to a person based solely upon the
7 person's age; providing an effective date.

8

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

10

11 Section 1. Section 509.092, Florida Statutes, is amended
12 to read:

13 509.092 Public lodging establishments and public food
14 service establishments; rights as private enterprises.—Public
15 lodging establishments and public food service establishments
16 are private enterprises, and the operator has the right to
17 refuse accommodations or service to any person who is
18 objectionable or undesirable to the operator, but such refusal
19 may not be based upon race, creed, color, sex, pregnancy,
20 physical disability, or national origin. In addition, such
21 refusal by the operator of a public lodging establishment may
22 not be based solely upon the age of a person 18 years of age or
23 older or upon the age of an emancipated minor. A person
24 aggrieved by a violation of this section or a violation of a
25 rule adopted under this section has a right of action pursuant
26 to s. 760.11.

27 Section 2. Subsection (1) of section 509.141, Florida
28 Statutes, is amended to read:

29 509.141 Refusal of admission and ejection of undesirable
30 guests; notice; procedure; penalties for refusal to leave.—

31 (1) The operator of any public lodging establishment or
32 public food service establishment may remove or cause to be
33 removed from such establishment, in the manner hereinafter
34 provided, any guest of the establishment who, while on the
35 premises of the establishment, illegally possesses or deals in
36 controlled substances as defined in chapter 893 or is
37 intoxicated, profane, lewd, or brawling; who indulges in any
38 language or conduct which disturbs the peace and comfort of
39 other guests or which injures the reputation, dignity, or
40 standing of the establishment; who, in the case of a public
41 lodging establishment, fails to make payment of rent at the
42 agreed-upon rental rate by the agreed-upon checkout time; who,
43 in the case of a public lodging establishment, fails to check
44 out by the time agreed upon in writing by the guest and public
45 lodging establishment at check-in unless an extension of time is
46 agreed to by the public lodging establishment and guest prior to
47 checkout; who, in the case of a public food service
48 establishment, fails to make payment for food, beverages, or
49 services; or who, in the opinion of the operator, is a person
50 the continued entertainment of whom would be detrimental to such
51 establishment. The admission to, or the removal from, such
52 establishment may ~~shall~~ not be based upon race, creed, color,

53 sex, physical disability, or national origin. In addition, the
54 admission to, or the removal from, a public lodging
55 establishment may not be based solely upon the age of a person
56 18 years of age or older or upon the age of an emancipated
57 minor.

58 Section 3. Section 509.142, Florida Statutes, is amended
59 to read:

60 509.142 Conduct on premises; refusal of service.—The
61 operator of a public lodging establishment or public food
62 service establishment may refuse accommodations or service to
63 any person whose conduct on the premises of the establishment
64 displays intoxication, profanity, lewdness, or brawling; who
65 indulges in language or conduct such as to disturb the peace or
66 comfort of other guests; who engages in illegal or disorderly
67 conduct; who illegally possesses or deals in controlled
68 substances as defined in chapter 893; or whose conduct
69 constitutes a nuisance. Such refusal may not be based upon race,
70 creed, color, sex, physical disability, or national origin. In
71 addition, such refusal by the operator of a public lodging
72 establishment may not be based solely upon the age of a person
73 18 years of age or older or upon the age of an emancipated
74 minor.

75 Section 4. This act shall take effect July 1, 2016.