

1 A bill to be entitled
 2 An act relating to a declared state of emergency;
 3 creating s. 48.205, F.S.; prohibiting specified
 4 service of process during a declared state of
 5 emergency; providing immunity from liability for
 6 certain persons; providing a definition; creating s.
 7 83.684, F.S.; tolling specified time periods for
 8 certain evictions; requiring a court to stay certain
 9 eviction proceedings under certain circumstances;
 10 providing a definition; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 48.205, Florida Statutes, is created to
 15 read:

16 48.205 Service of process during a state of emergency.—
 17 A writ, process, warrant, order, or judgment relating to a
 18 residential eviction, as provided in part II of chapter 83, may
 19 not be served or executed during a state of emergency declared
 20 by the President of the United States or the Governor or
 21 governing body of a political subdivision of the state under
 22 chapter 252. This prohibition is effective for up to 15 days
 23 after the expiration or termination of the state of emergency,
 24 or if the state of emergency is extended by the applicable
 25 authority, up to 15 days after the expiration or termination of

26 | the extension. A sheriff or other person authorized to make
27 | service of process under the Florida Rules of Civil Procedure is
28 | not liable for failing to serve or execute such writ, process,
29 | warrant, order, or judgment during the emergency declaration
30 | period. For purposes of this section, the term "emergency
31 | declaration period" includes the period of time stated in the
32 | declaration of the state of emergency, and any extensions
33 | thereof, and up to 15 days after the expiration of such period
34 | of time.

35 | Section 2. Section 83.684, Florida Statutes, is created to
36 | read:

37 | 83.684 Actions for rent or possession during a state of
38 | emergency.— A declaration of a state of emergency issued by the
39 | President of the United States or the Governor or governing body
40 | of a political subdivision of the state under chapter 252, tolls
41 | any statutory time periods relating to the eviction of a
42 | residential tenant under this part during the emergency
43 | declaration period. The court shall on its own motion stay any
44 | eviction proceeding under this part during the emergency
45 | declaration period. For purposes of this section, the term
46 | "emergency declaration period" includes the period of time
47 | stated in the declaration of the state of emergency, and any
48 | extensions thereof, and up to 15 days after the expiration of
49 | such period of time.

50 | Section 3. This act shall take effect July 1, 2020.