

26 requirements therefor; providing for removal of
27 property; providing an effective date.

28

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

30

31 Section 1. Section 513.012, Florida Statutes, is amended
32 to read:

33 513.012 Public health laws; enforcement.—It is the intent
34 of the Legislature that mobile home parks, lodging parks,
35 recreational vehicle parks, and recreational camps be
36 exclusively regulated under this chapter. As such, the
37 department shall administer and enforce, with respect to such
38 parks and camps, laws and rules relating to sanitation, control
39 of communicable diseases, illnesses and hazards to health among
40 humans and from animals to humans, and permitting and
41 operational matters in order to protect the general health and
42 well-being of the residents ~~people~~ of and visitors to the state.
43 However, nothing in this chapter qualifies a mobile home park, a
44 lodging park, a recreational vehicle park, or a recreational
45 camp for a liquor license issued under s. 561.20(2)(a)1. Mobile
46 home parks, lodging parks, recreational vehicle parks, and
47 recreational camps regulated under this chapter are exempt from
48 regulation under the provisions of chapter 509.

49 Section 2. Subsection (5) of section 513.02, Florida
50 Statutes, is amended to read:

51 513.02 Permit.—

52 (5) When a park or camp regulated under this chapter is
 53 sold or its ownership transferred, the transferee must apply for
 54 a permit to the department within 60 days after ~~before~~ the date
 55 of transfer. The applicant must provide the department with a
 56 copy of the recorded deed or lease agreement before the
 57 department may issue a permit to the applicant.

58 Section 3. Section 513.051, Florida Statutes, is amended
 59 to read:

60 513.051 Preemption.—The department is the exclusive
 61 regulatory and permitting authority for sanitary and permitting
 62 standards for all mobile home parks, lodging parks, recreational
 63 vehicle parks, and recreational camps in accordance with the
 64 provisions of this chapter.

65 Section 4. Subsection (3) is added to section 513.112,
 66 Florida Statutes, to read:

67 513.112 Maintenance of guest register and copy of laws.—

68 (3) When a guest occupies a recreational vehicle in a
 69 recreational vehicle park for less than 6 months, as evidenced
 70 by the length of stay shown in the guest register, there is a
 71 rebuttable presumption that the occupancy is transient.

72 Section 5. Subsection (3) of section 513.1115, Florida
 73 Statutes, is renumbered as subsection (4) and amended, and a new
 74 subsection (3) is added to that section, to read:

75 513.1115 Placement of recreational vehicles on lots in

76 | permitted parks.-

77 | (3) If a recreational vehicle park is damaged or destroyed
 78 | as a result of wind, water, or other natural disaster, the park
 79 | may be rebuilt on the same site using the same density standards
 80 | that were approved or permitted before the park was damaged or
 81 | destroyed.

82 | (4) ~~(3)~~ This section does not limit the regulation of the
 83 | uniform firesafety standards established under s. 633.206.
 84 | However, this section shall supersede any other county,
 85 | municipality, or special district ordinance or regulation
 86 | regarding the lot size, lot density, or separation or setback
 87 | distance of a recreational vehicle park which goes into effect
 88 | after the initial permitting and construction of the park.

89 | Section 6. Section 513.115, Florida Statutes, is amended
 90 | to read:

91 | 513.115 Unclaimed property.-Any property having an
 92 | identifiable owner which ~~is left in a recreational vehicle park~~
 93 | ~~by a guest, other than property belonging to a guest who has~~
 94 | ~~vacated the premises without notice to the operator and with an~~
 95 | ~~outstanding account, which property remains unclaimed after~~
 96 | having been held by a ~~the~~ park for 90 days after written notice
 97 | was provided to the guest or the owner of the property, ~~becomes~~
 98 | the property of the park. Any property that is left by a guest
 99 | who has vacated the premises without notice to the operator and
 100 | who has an outstanding account is considered abandoned property,

101 and disposition thereof shall be governed by the Disposition of
102 Personal Property Landlord and Tenant Act under s. 715.10.

103 Section 7. Section 513.118, Florida Statutes, is amended
104 to read:

105 513.118 Conduct on premises; refusal of service.—

106 (1) The operator of a recreational vehicle park may refuse
107 to provide accommodations, ~~or~~ service, or access to the premises
108 to any transient guest or visitor ~~person~~ whose conduct on the
109 premises of the park displays intoxication, profanity, lewdness,
110 or brawling; who indulges in such language or conduct as to
111 disturb the peace, quiet enjoyment, or comfort of other guests;
112 who engages in illegal or disorderly conduct; or whose conduct
113 constitutes a nuisance or safety hazard.

114 (2) The operator of a recreational vehicle park may
115 request that a transient guest or visitor who violates
116 subsection (1) leave the premises immediately. A person who
117 refuses to leave the premises commits the offense of trespass as
118 provided in s. 810.08 and the operator may call a law
119 enforcement officer to have the person and his or her property
120 removed under the supervision of the officer. A law enforcement
121 officer is not liable for any claim involving the removal of the
122 person or property from the recreational vehicle park under this
123 section. If conditions do not allow for immediate removal of the
124 person's property, he or she may arrange a reasonable time, not
125 to exceed 48 hours, with the operator to come remove the

126 | property, accompanied by a law enforcement officer.

127 | (3) Such refusal of accommodations, ~~or~~ service, or access
 128 | to the premises may ~~shall~~ not be based upon race, color,
 129 | national origin, sex, physical disability, or creed.

130 | Section 8. Section 513.13, Florida Statutes, is amended to
 131 | read:

132 | 513.13 Recreational vehicle parks; ejection ~~eviction~~;
 133 | grounds; proceedings.-

134 | (1) The operator of any recreational vehicle park may
 135 | remove or cause to be removed from such park, in the manner
 136 | provided in this section, any transient guest of the park who,
 137 | while on the premises of the park, illegally possesses or deals
 138 | in a controlled substance as defined in chapter 893; who ~~or~~
 139 | disturbs the peace, quiet enjoyment, and comfort of other
 140 | persons; who causes harm to the physical park; who violates the
 141 | posted park rules and regulations; or who fails to make payment
 142 | of rent at the rental rate agreed upon and by the time agreed
 143 | upon. The admission of a person to, or the removal of a person
 144 | from, any recreational vehicle park may ~~shall~~ not be based upon
 145 | race, color, national origin, sex, physical disability, or
 146 | creed.

147 | (2) The operator of any recreational vehicle park shall
 148 | notify such guest that the park no longer desires to entertain
 149 | the guest and shall request that such guest immediately depart
 150 | from the park. Such notice shall be given in writing, as

151 follows: "You are hereby notified that this recreational vehicle
152 park no longer desires to entertain you as its guest, and you
153 are requested to leave at once. To remain after receipt of this
154 notice is a misdemeanor under the laws of this state." If such
155 guest has paid in advance, the park shall, at the time such
156 notice is given, tender to the guest the unused portion of the
157 advance payment. Any guest who remains or attempts to remain in
158 such park after being requested to leave commits ~~is guilty of a~~
159 misdemeanor of the second degree, punishable as provided in s.
160 775.082 or s. 775.083.

161 (3) If a guest has accumulated an outstanding account in
162 excess of an amount equivalent to 3 ~~three~~ nights' rent at a
163 recreational vehicle park, the operator may disconnect all
164 utilities of the recreational vehicle and notify the guest that
165 the action is for the purpose of requiring the guest to confront
166 the operator or permittee and arrange for the payment of the
167 guest's account. Such arrangement must be in writing, and a copy
168 shall be furnished to the guest. Upon entering into such
169 agreement, the operator shall reconnect the utilities of the
170 recreational vehicle.

171 (4) If any person is illegally on the premises of any
172 recreational vehicle park, the operator of such park may call
173 upon any law enforcement officer of this state for assistance.
174 It is the duty of such law enforcement officer, upon the request
175 of such operator, to remove from the premises or place under

176 | ~~arrest and take into custody for violation of this section any~~
177 | ~~guest who, according to the park operator, violated~~ violates
178 | ~~subsection (1) or subsection (2) in the presence of the officer.~~
179 | If a warrant has been issued by the proper judicial officer for
180 | the arrest of any guest who violates ~~violation of~~ subsection (1)
181 | or subsection (2), the officer shall serve the warrant, arrest
182 | the guest ~~person~~, and take the guest ~~person~~ into custody. Upon
183 | removal or arrest, with or without warrant, the guest is deemed
184 | to have abandoned or given up any right to occupancy ~~or to have~~
185 | ~~abandoned the guest's right to occupancy~~ of the premises of the
186 | recreational vehicle park; and the operator of the park shall
187 | employ all reasonable and proper means to care for any personal
188 | property left on the premises by such guest and shall refund any
189 | unused portion of moneys paid by such guest for the occupancy of
190 | such premises. If conditions do not allow for immediate removal
191 | of the guest's property, he or she may arrange a reasonable
192 | time, not to exceed 48 hours, with the operator to come remove
193 | the property, accompanied by a law enforcement officer.

194 | (5) In addition to the grounds for ejection ~~eviction~~
195 | established by law, grounds for ejection ~~eviction~~ may be
196 | established in a written lease agreement between a recreational
197 | vehicle park operator or permittee and a recreational vehicle
198 | park occupant.

199 | Section 9. This act shall take effect July 1, 2020.