

By Senator Torres

15-01183-20

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1 A bill to be entitled
2 An act relating to rent control measures; amending ss.
3 125.0103 and 166.043, F.S.; deleting a provision that
4 required local government measures that imposed rent
5 controls to expire unless they were extended or
6 renewed in accordance with law; providing an effective
7 date.

8

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

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11 Section 1. Subsections (3) and (6) of section 125.0103,
12 Florida Statutes, are amended to read:

13 125.0103 Ordinances and rules imposing price controls;
14 findings required; procedures.—

15 ~~(3) Any law, ordinance, rule, or other measure which has~~
16 ~~the effect of imposing controls on rents shall terminate and~~
17 ~~expire within 1 year and shall not be extended or renewed except~~
18 ~~by the adoption of a new measure meeting all the requirements of~~
19 ~~this section.~~

20 (5)~~(6)~~ In any court action brought to challenge the
21 validity of rent control imposed pursuant to the provisions of
22 this section, the evidentiary effect of any findings or
23 recitations required by subsection (4) ~~(5)~~ shall be limited to
24 imposing upon any party challenging the validity of such measure
25 the burden of going forward with the evidence, and the burden of
26 proof (that is, the risk of nonpersuasion) shall rest upon any
27 party seeking to have the measure upheld.

28 Section 2. Subsections (3) and (6) of section 166.043,
29 Florida Statutes, are amended to read:

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30 166.043 Ordinances and rules imposing price controls;
31 findings required; procedures.—

32 ~~(3) Any law, ordinance, rule, or other measure which has~~
33 ~~the effect of imposing controls on rents shall terminate and~~
34 ~~expire within 1 year and shall not be extended or renewed except~~
35 ~~by the adoption of a new measure meeting all the requirements of~~
36 ~~this section.~~

37 (5)~~(6)~~ In any court action brought to challenge the
38 validity of rent control imposed pursuant to the provisions of
39 this section, the evidentiary effect of any findings or
40 recitations required by subsection (4) ~~(5)~~ shall be limited to
41 imposing upon any party challenging the validity of such measure
42 the burden of going forward with the evidence, and the burden of
43 proof (that is, the risk of nonpersuasion) shall rest upon any
44 party seeking to have the measure upheld.

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