

By Senator Garcia

37-00486-22

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1                   A bill to be entitled  
2       An act relating to vacation rentals; amending s.  
3       509.032, F.S.; providing that local laws, ordinances,  
4       or regulations requiring vacation rental owners or  
5       operators to provide the local government with certain  
6       contact information are not prohibited or preempted to  
7       the state; 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 (7) of section 509.032, Florida  
12       Statutes, is amended to read:

13       509.032 Duties.—

14       (7) PREEMPTION AUTHORITY.—

15       (a) The regulation of public lodging establishments and  
16       public food service establishments, including, but not limited  
17       to, sanitation standards, inspections, training and testing of  
18       personnel, and matters related to the nutritional content and  
19       marketing of foods offered in such establishments, is preempted  
20       to the state. This paragraph does not preempt the authority of a  
21       local government or local enforcement district to conduct  
22       inspections of public lodging and public food service  
23       establishments for compliance with the Florida Building Code and  
24       the Florida Fire Prevention Code, pursuant to ss. 553.80 and  
25       633.206.

26       (b) A local law, ordinance, or regulation may not prohibit  
27       vacation rentals or regulate the duration or frequency of rental  
28       of vacation rentals. This paragraph does not apply to any local  
29       law, ordinance, or regulation adopted on or before June 1, 2011.

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30 (c) Paragraph (b) does not apply to any local law,  
31 ordinance, or regulation exclusively relating to property  
32 valuation as a criterion for vacation rental if the local law,  
33 ordinance, or regulation is required to be approved by the state  
34 land planning agency pursuant to an area of critical state  
35 concern designation.

36 (d) This subsection does not prohibit a local law,  
37 ordinance, or regulation from requiring a vacation rental owner  
38 or operator to designate and maintain at all times with the  
39 local government the name and contact information of a  
40 responsible party who is capable of responding to complaints and  
41 other immediate problems related to the vacation rental,  
42 including being available by telephone at a publicly listed  
43 telephone number.

44 Section 2. This act shall take effect July 1, 2022.