

By Senator Torres

15-00728-22

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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 requirements for
4 the termination, expiration, extension, and renewal of
5 local governmental rent control measures; providing an
6 effective date.

7

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

9

10 Section 1. Subsection (3) and present subsection (6) of
11 section 125.0103, Florida Statutes, are amended to read:

12 125.0103 Ordinances and rules imposing price controls;
13 findings required; procedures.—

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

19 (5)~~(6)~~ In any court action brought to challenge the
20 validity of rent control imposed pursuant to the provisions of
21 this section, the evidentiary effect of any findings or
22 recitations required by subsection (4) ~~(5)~~ shall be limited to
23 imposing upon any party challenging the validity of such measure
24 the burden of going forward with the evidence, and the burden of
25 proof (that is, the risk of nonpersuasion) shall rest upon any
26 party seeking to have the measure upheld.

27 Section 2. Subsection (3) and present subsection (6) of
28 section 166.043, Florida Statutes, are amended to read:

29 166.043 Ordinances and rules imposing price controls;

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30 findings required; procedures.-

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

36 (5)~~(6)~~ In any court action brought to challenge the
37 validity of rent control imposed pursuant to the provisions of
38 this section, the evidentiary effect of any findings or
39 recitations required by subsection (4) ~~(5)~~ shall be limited to
40 imposing upon any party challenging the validity of such measure
41 the burden of going forward with the evidence, and the burden of
42 proof (that is, the risk of nonpersuasion) shall rest upon any
43 party seeking to have the measure upheld.

44 Section 3. This act shall take effect July 1, 2022.