

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nixon offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 47 and 48, insert:

5 Section 4. Section 83.625, Florida Statutes, is amended to  
6 read:

7 83.625 Power to award possession, ~~and~~ enter money  
8 judgment, and remove certain persons.-In an action by the  
9 landlord for possession of a dwelling unit based upon nonpayment  
10 of rent, if the court finds the rent is due, owing, and unpaid  
11 and by reason thereof the landlord is entitled to possession of  
12 the premises, the court shall:

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13        (1) In addition to awarding possession of the premises to  
14 the landlord, ~~shall~~ direct, in an amount which is within its  
15 jurisdictional limitations, the entry of a money judgment with  
16 costs in favor of the landlord and against the tenant for the  
17 amount of money found due, owing, and unpaid by the tenant to  
18 the landlord. However, no money judgment shall be entered unless  
19 service of process has been effected by personal service or,  
20 where authorized by law, by certified or registered mail, return  
21 receipt, or in any other manner prescribed by law or the rules  
22 of the court; and no money judgment may be entered except in  
23 compliance with the Florida Rules of Civil Procedure. The  
24 prevailing party in the action may also be awarded attorney's  
25 fees and costs.

26        (2) Enter an order authorizing a law enforcement officer  
27 to remove a squatter or unauthorized person from the residential  
28 premises within 5 days after receipt of the court order. For  
29 purposes of this subsection, the term:

30        (a) "Residential premises" means a dwelling unit, the  
31 structure of which the unit is a part, and any immediately  
32 surrounding property that is owned by or subject to the  
33 exclusive control of the same person as the dwelling unit  
34 itself.

35        (b) "Unauthorized person" means a person who occupies an  
36 uninhabited or a vacant residential premises without any current  
37 or prior rental agreement or consent of the property owner or an

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38 authorized agent of the property owner, whether written or oral,  
 39 concerning the use of the residential premises. The term does  
 40 not include a relative of the property owner or a relative of an  
 41 authorized agent of the property owner, including a spouse,  
 42 descendant, stepchild, parent, stepparent, grandparent, brother,  
 43 sister, uncle, or aunt, whether related by whole or half blood  
 44 or by adoption; a person from whom the property owner or an  
 45 authorized agent of the property owner has accepted money or  
 46 anything of value; or a person who was previously given  
 47 permission to enter and remain on the residential premises.

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**T I T L E   A M E N D M E N T**

51 Remove line 8 and insert:  
 52 terminate certain tenancies; amending s. 83.625, F.S.;  
 53 authorizing a court to order the removal of certain  
 54 persons from certain residential premises under  
 55 certain circumstances; providing definitions;  
 56 providing an effective