

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Gantt offered the following:

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

4 Between lines 47 and 48, insert:

5 Section 4. Subsection (2) of section 83.60, Florida
6 Statutes, is amended to read:

7 83.60 Defenses to action for rent or possession;
8 procedure.—

9 (2) In an action by the landlord for possession of a
10 dwelling unit, if the tenant interposes any defense other than
11 payment, including, but not limited to, the defense of a
12 defective 3-day notice, the tenant must ~~shall~~ pay into the
13 registry of the court the accrued rent as alleged in the

281045

Approved For Filing: 4/21/2023 3:51:53 PM

Amendment No.

14 complaint or as determined by the court and the rent that
 15 accrues during the pendency of the proceeding, when due. The
 16 clerk shall notify the tenant of such requirement in the
 17 summons. ~~Failure of the tenant to pay the rent into the registry
 18 of the court or to file a motion to determine the amount of rent
 19 to be paid into the registry within 5 days, excluding Saturdays,
 20 Sundays, and legal holidays, after the date of service of
 21 process constitutes an absolute waiver of the tenant's defenses
 22 other than payment, and the landlord is entitled to an immediate
 23 default judgment for removal of the tenant with a writ of
 24 possession to issue without further notice or hearing thereon.~~
 25 If a motion to determine rent is filed, documentation in support
 26 of the allegation that the rent as alleged in the complaint is
 27 in error is required. Public housing tenants or tenants
 28 receiving rent subsidies are required to deposit only that
 29 portion of the full rent for which they are responsible pursuant
 30 to the federal, state, or local program in which they are
 31 participating.

32
 33 -----

T I T L E A M E N D M E N T

34 Remove line 8 and insert:
 35 terminate certain tenancies; amending s. 83.60, F.S.;
 36 removing a requirement that certain money be paid into
 37 the registry of the court; providing an effective
 38

281045

Approved For Filing: 4/21/2023 3:51:53 PM