

By the Committees on Rules; and Judiciary; and Senators Trumbull and Rodriguez

595-04203-23

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1 A bill to be entitled
2 An act relating to residential tenancies; creating s.
3 83.425, F.S.; preempting the regulation of residential
4 tenancies and the landlord-tenant relationship to the
5 state; specifying that the act supersedes certain
6 local regulations; amending ss. 83.57 and 83.575,
7 F.S.; revising how much notice is required to
8 terminate certain tenancies; creating s. 83.576, F.S.;
9 requiring a landlord to provide advance written notice
10 of rent increases under certain circumstances;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 83.425, Florida Statutes, is created to
16 read:

17 83.425 Preemption.—The regulation of residential tenancies,
18 the landlord-tenant relationship, and all other matters covered
19 under this part are preempted to the state. This part supersedes
20 any local government regulations on matters covered herein,
21 including, but not limited to, the screening process used by a
22 landlord in approving tenancies; security deposits; rental
23 agreement applications and fees associated with such
24 applications; terms and conditions of rental agreements; the
25 rights and responsibilities of the landlord and tenant;
26 disclosures concerning the premises, the dwelling unit, the
27 rental agreement, or the rights and responsibilities of the
28 landlord and tenant; fees charged by the landlord; or notice
29 requirements.

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30 Section 2. Subsection (3) of section 83.57, Florida
31 Statutes, is amended to read:

32 83.57 Termination of tenancy without specific term.—A
33 tenancy without a specific duration, as defined in s. 83.46(2)
34 or (3), may be terminated by either party giving written notice
35 in the manner provided in s. 83.56(4), as follows:

36 (3) When the tenancy is from month to month, by giving not
37 less than 30 ~~15~~ days' notice prior to the end of any monthly
38 period; and

39 Section 3. Subsection (1) of section 83.575, Florida
40 Statutes, is amended to read:

41 83.575 Termination of tenancy with specific duration.—

42 (1) A rental agreement with a specific duration may contain
43 a provision requiring the tenant to notify the landlord within a
44 specified period before vacating the premises at the end of the
45 rental agreement, if such provision requires the landlord to
46 notify the tenant within such notice period if the rental
47 agreement will not be renewed; however, a rental agreement may
48 not require less ~~more~~ than 60 days' notice from either the
49 tenant or the landlord.

50 Section 4. Section 83.576, Florida Statutes, is created to
51 read:

52 83.576 Advance notice of rent increases.—

53 (1) A landlord who proposes to increase the current rental
54 rate by more than 5 percent at the end of a rental agreement for
55 a specific term or during a tenancy without a specific duration
56 in which the rent is payable on a month to month basis must
57 provide 60 days' written notice to the tenant. Notwithstanding
58 any notice period in a rental agreement requiring a tenant to

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59 notify the landlord that the tenant will vacate the premises at
60 the end of the rental agreement or the minimum notice period in
61 s. 83.575(1), the notice period may not start until 15 days
62 after the landlord provides the tenant with the written notice
63 of a proposed increase in the rental rate.

64 (2) If the required 60 days' written notice has been
65 provided and the tenant has not agreed to the rent increase or
66 an acceptable compromise, the landlord may increase the rent as
67 provided in the notice or require the tenant to vacate the
68 dwelling unit.

69 Section 5. This act shall take effect July 1, 2023.