

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Regulated Industries

[2023s00714.hms.ri]

BILL: CS/CS/CS/SB 714

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Agriculture, Environment; and General Government; Regulated Industries Committee; and Senator DiCeglie

SUBJECT: Vacation rentals

DATE: May 2, 2023

I. Amendments Contained in Message:

House Amendment – 433635 (body and title)

II. Summary of Amendments Contained in Message:

House Amendment – *Barcode* 433635:

- Revises the effect of the provision permitting a local government to adopt a new local law if it had a “grandfathered” local law in effect on June 1, 2011, to pass a new, less restrictive ordinance;
- Removes from the bill the authority of local governments to impose a fine for failure to register a vacation rental;
- Revises the local registration fees from \$150 to \$100 for an individual registration, and from \$200 for up to a total of 25 individual registrations to \$200 for processing more than five but fewer than 26 individual registrations;
- Removes from the bill the authority for local governments to assess a fee for building and fire safety inspections after registration;
- Removes from the bill the provisions requiring registrants, as a condition for a local registration, to:
 - Submit a license number with the local registration instead of requiring that the registrant obtain a license issued by the Division of Hotels and Restaurants (division) to operate as a vacation rental;
 - Submit identifying information to the local government;
 - Obtain all required tax registrations, receipts, or certificates issued by the Department of Revenue, a county, or a municipal government;
 - Update required information on a continuing basis to be current;
 - Comply with parking standards and solid waste handling and containment requirements so long as such standards are not imposed solely on vacation rentals;
 - Pay all recorded municipal or county code liens; and

- Provide health and safety information and information about applicable laws, ordinances, or regulations to guests;
- Removes from the bill the grounds for termination or suspension of a local registration by the local government;
- Expands the information for the responsible party to include address and email address;
- Limits the requirement that the responsible party be available 24 hours a day, seven days a week, to registrants with more than 5 vacation rentals in the jurisdiction;
- Requires local governments to provide proof to the division of unsatisfied liens, final orders or judgments terminating the use of a vacation rental, and of a determination by a code enforcement board, special magistrate or other authority that the vacation rental has established a pattern and practice of municipal or county code violations;
- Requires vacation rental owners or advertisers to attest to the identifying information for the responsible party provided to the division in advertisements on advertising platforms;
- Removes from the bill the requirement for advertising platforms to verify licensure before publishing an advertisement;
- Requires the division to maintain information for the responsible party in a readily accessible electronic format;
- Authorizes the division to revoke, suspend, or refuse to issue or renew, a vacation rental license based on the final order or judgment directing the termination of the premises' use as a vacation rental; unsatisfied liens; a determination by a code enforcement board, special magistrate, or other authority that the vacation rental has established a pattern and practice of municipal or county code violations; the premises is not registered, if required; the license number is not included in advertisements; or failure to provide contact information for a responsible party; and
- Authorizes the division to waive a requirement for local registration if local registration was unreasonably withheld.