

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Regulatory Reform &
 2 Economic Development Subcommittee
 3 Representative Griffiths offered the following:

Amendment (with title amendment)

Remove lines 441-791 and insert:

7 of vacation rentals. This paragraph does not apply to any local
 8 law, ordinance, or regulation adopted on or before June 1, 2011,
 9 including such a law, ordinance, or regulation that is amended
 10 to be less restrictive or to comply with the local registration
 11 requirements provided in subsection (8), or when a law,
 12 ordinance, or regulation adopted after June 1, 2011, regulates
 13 vacation rentals, if such law, ordinance, or regulation is less
 14 restrictive than a law, ordinance, or regulation that was in
 15 effect on June 1, 2011.

16 (c) Paragraph (b) and subsection (8) do ~~does~~ not apply to

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17 any local law, ordinance, or regulation exclusively relating to
18 property valuation as a criterion for vacation rental if the
19 local law, ordinance, or regulation is required to be approved
20 by the state land planning agency pursuant to an area of
21 critical state concern designation.

22 (d) The regulation of advertising platforms is preempted
23 to the state.

24 (8) LOCAL REGISTRATION OF VACATION RENTALS; SUSPENSION;
25 REVOCATIONS; FINES.—Notwithstanding paragraph (7)(a), a local
26 law, ordinance, or regulation may require the registration of
27 vacation rentals with a local vacation rental registration
28 program. Local governments may implement a vacation rental
29 registration program pursuant to this subsection and may impose
30 a fine for failure to register under the local program. Any such
31 registration program implemented by a local government shall be
32 administered by the tax collector.

33 (a) A local government may charge a fee of no more than
34 \$150 per unit for processing a registration application. A local
35 law, ordinance, or regulation may require annual renewal of a
36 registration and may charge a renewal fee of no more than \$50
37 per unit for processing of a registration renewal. However, if
38 there is a change of ownership, the new owner may be required to
39 submit a new application for registration. Subsequent to the
40 registration of a vacation rental, a local government may charge
41 a fee, not to exceed \$150, for a person authorized by s. 633.118

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42 to inspect the vacation rental and enforce the laws and rules of
43 the State Fire Marshall for issues pertaining to the uniform
44 firesafety standards.

45 (b) As a condition of registration or renewal of a
46 vacation rental, a local law, ordinance, or regulation
47 establishing a local vacation rental registration program may
48 require the operator of a vacation rental to do only the
49 following:

50 1. Submit identifying information about the owner and the
51 owner's operator, if applicable, and the subject vacation rental
52 premises.

53 2. Provide proof of a license with the unique identifier
54 issued by the division to operate as a vacation rental.

55 3. Obtain all required tax registrations, receipts, or
56 certificates issued by the Department of Revenue, a county, or a
57 municipality.

58 4. Update required information on a continuing basis to
59 ensure it is current.

60 5. Designate and maintain at all times a responsible party
61 who is capable of responding to complaints or emergencies
62 related to the vacation rental, including being available by
63 telephone at a provided contact telephone number 24 hours a day,
64 7 days a week, and receiving legal notice of violations on
65 behalf of the operator. The responsible party has until 9 a.m.
66 the next calendar day to respond to a complaint or emergency by

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67 telephone or otherwise.

68 6. State the maximum occupancy of the vacation rental
69 based on the number of sleeping accommodations for persons
70 staying overnight in the vacation rental.

71 7. Pay in full all recorded municipal or county code liens
72 against the subject vacation rental premises.

73 (c) Within 15 business days after receiving an application
74 for registration of a vacation rental, a local government must
75 review the application for completeness and accept the
76 registration of the vacation rental or issue a written notice of
77 denial.

78 1. The vacation rental operator and the local government
79 may agree to a reasonable request to extend the timeframes
80 provided in this paragraph, particularly in the event of a force
81 majeure or other extraordinary circumstance.

82 2. If a local government fails to accept or deny the
83 registration within the timeframes provided in this paragraph,
84 the application is deemed accepted.

85 (d) If a local government denies a registration of a
86 vacation rental, the local government must give written notice
87 to the applicant. Such notice may be provided by United States
88 mail or electronically. The notice must specify with
89 particularity the factual reasons for the denial and include a
90 citation to the applicable portions of the ordinance, rule,
91 statute, or other legal authority for the denial of the

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92 registration. A local government may not prohibit an applicant
93 from reapplying if the applicant cures the identified
94 deficiencies.

95 (e)1. Upon an accepted vacation rental registration, a
96 local government shall immediately assign a unique registration
97 number to the vacation rental unit and provide the registration
98 number or other indicia of registration to the vacation rental
99 operator in writing or electronically.

100 2. The vacation rental operator must provide the vacation
101 rental registration number to the division.

102 (f) A local government may fine a vacation rental operator
103 up to \$300 if he or she:

104 1. Fails to continue to meet the registration requirements
105 in paragraph (b); or

106 2. Is operating a vacation rental without registering with
107 the local government as a vacation rental.

108 (g) A certified copy of an order imposing a fine may be
109 recorded in the public records and thereafter constitutes a lien
110 against the real property on which the violation exists. Upon
111 petition to the circuit court, such order is enforceable in the
112 same manner as a court judgment by the sheriffs of this state,
113 including execution and levy against the personal property of
114 the violator, but such order may not be deemed to be a court
115 judgment except for enforcement purposes. A fine imposed
116 pursuant to this subsection shall continue to accrue until the

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117 violator comes into compliance or until judgment is rendered in
118 a suit filed pursuant to this section, whichever occurs first. A
119 lien arising from a fine imposed pursuant to this subsection
120 runs in favor of the local government, and the local government
121 may execute a satisfaction or release of lien. Three months or
122 more after the filing of any such lien that remains unpaid, the
123 local government may foreclose on the lien against the real
124 property on which the violation exists or sue to recover a money
125 judgment for the amount of the lien, plus accrued interest. A
126 lien created pursuant to this part may not be foreclosed on real
127 property that is a homestead under s. 4, Art. X of the State
128 Constitution. The money judgment provisions of this section do
129 not apply to real property or personal property that is covered
130 under s. 4(a), Art. X of the State Constitution.

131 (h)1. If a vacation rental owner is found by the code
132 enforcement board or special magistrate to have materially
133 violated a local law, ordinance, or regulation that does not
134 solely apply to vacation rentals and the violation is directly
135 related to the owner's vacation rental premises, the local
136 government must issue a written notice of such violation.

137 2. If the owner is found to have materially violated a
138 local law, ordinance, or regulation as described in subparagraph
139 1., the code enforcement board or special magistrate must make a
140 recommendation to the local government as to whether an owner's
141 vacation rental registration should be suspended.

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142 3. The code enforcement board or special magistrate must
143 recommend the suspension of the owner's vacation rental
144 registration if the owner is found to have:

145 a. One or more material violations on 5 separate days
146 during a 60-day period;

147 b. One or more material violations on 5 separate days
148 during a 30-day period; or

149 c. One or more material violations after two prior
150 suspensions of an owner's vacation rental registration during a
151 6-month period.

152 4. If the code enforcement board or special magistrate
153 recommends suspension of an owner's vacation rental
154 registration, a local government may suspend such registration
155 for a period of:

156 a. Up to 15 days for one or more material violations on 5
157 separate days during a 60-day period;

158 b. Up to 30 days for one or more material violations on 5
159 separate days during a 30-day period; or

160 c. Up to 60 days for one or more material violations after
161 two prior suspensions of an owner's vacation rental registration
162 during a 6-month period.

163 5. A local government may not suspend an owner's vacation
164 rental registration for violations of a local law, ordinance, or
165 regulation which are not directly related to the vacation rental
166 premises.

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167 6. A local government must provide notice of the
168 suspension of a vacation rental registration to the operator and
169 the division within 5 days after the suspension. The notice must
170 include the start date of the suspension, which must be at least
171 21 days after the suspension notice is sent to the operator and
172 the division. Effective January 1, 2026, a local government must
173 use the vacation rental information system described in s.
174 509.244 to provide notice of the suspension of a vacation rental
175 registration to the division.

176 (i)1. A local government may revoke or refuse to renew a
177 vacation rental registration of a specific vacation rental if:

178 a. The code enforcement board or special magistrate has
179 found that the vacation rental owner has habitually committed
180 material violations pursuant to paragraph (h) and has imposed
181 the strictest penalty thereunder;

182 b. There is an unsatisfied recorded municipal lien or
183 county lien on the real property of the vacation rental;
184 however, the local government must allow the vacation rental
185 owner at least 60 days before the termination of a registration
186 to satisfy the recorded municipal lien or county lien and must
187 immediately and automatically reinstate or renew the
188 registration upon satisfaction of such lien; or

189 c. The vacation rental premises and its owner are the
190 subject of a final order or judgment by a court of competent
191 jurisdiction lawfully directing the termination of the premises'

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192 use as a vacation rental.

193 2. A local government must provide notice of the
194 termination of or refusal to renew a vacation rental
195 registration to the operator and the division within 5 days
196 after the termination or refusal to renew. The notice must
197 include the date of termination or nonrenewal, which must be at
198 least 21 days after the notice is sent to the operator and the
199 division. Effective January 1, 2026, a local government must use
200 the vacation rental information system as established in s.
201 509.244 to provide notice of the termination of or refusal to
202 renew a vacation rental registration to the division.

203 (j) A vacation rental owner may appeal a denial,
204 suspension, or termination of a vacation rental registration, or
205 a refusal to renew such registration, to the circuit court. An
206 appeal must be filed within 30 days after the issuance of the
207 denial, suspension, or termination of, or refusal to renew, the
208 vacation rental registration. The court may assess and award
209 reasonable attorney fees and costs and damages to a vacation
210 rental owner.

211 (k) A vacation rental owner may apply for registration
212 upon the sale of the vacation rental premises to a new owner or
213 6 months after revocation of or refusal to renew the vacation
214 rental registration pursuant to paragraph (i).

215

216 This subsection does not prohibit a local government from

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217 establishing a local law, ordinance, or regulation if it is
218 uniformly applied without regard to whether the residential
219 property is used as a vacation rental.

220 Section 4. Effective January 1, 2025, present paragraph
221 (c) of subsection (4) of section 509.241, Florida Statutes, is
222 redesignated as paragraph (d), a new paragraph (c) is added to
223 that subsection, subsection (5) is added to that section, and
224 subsections (2) and (3) of that section are amended, to read:

225 509.241 Licenses required; exceptions; division online
226 accounts and transactions.—

227 (2) APPLICATION FOR LICENSE.—Each person who plans to open
228 a public lodging establishment or a public food service
229 establishment shall apply for and receive a license from the
230 division before ~~prior to~~ the commencement of operation. A
231 condominium association, as defined in s. 718.103, which does
232 not own any units classified as vacation rentals or timeshare
233 projects under s. 509.242(1)(c) or (g) is not required to apply
234 for or receive a public lodging establishment license. Upon
235 receiving an application for a vacation rental license, the
236 division may grant a temporary license that authorizes the
237 vacation rental to begin operation while the application is
238 pending. The temporary license automatically expires upon final
239 agency action regarding the license application.

240 (3) DISPLAY OF LICENSE.—~~A~~ Any license issued by the
241 division must ~~shall~~ be conspicuously displayed to the public

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242 inside in the office or lobby of the licensed establishment.
243 Public food service establishments that ~~which~~ offer catering
244 services must ~~shall~~ display their license number on all
245 advertising for catering services. The operator of a vacation
246 rental offered for transient occupancy through an advertising
247 platform must also conspicuously display the vacation rental's
248 local registration number, if applicable.

249 (4) ONLINE ACCOUNT AND TRANSACTIONS.—Each person who plans
250 to open a public lodging establishment or a public food service
251 establishment and each licensee or licensed agent must create
252 and maintain a division online account and provide an e-mail
253 address to the division to function as the primary contact for
254 all communication from the division.

255 (c) Each licensee or licensed agent managing a license
256 classified as a vacation rental as defined in s. 509.242(1)(c)
257 must submit to the division, through the division's online
258 system, any applicable local vacation rental registration
259 number.

260 (5) UNIQUE IDENTIFIER.—The division shall include a unique
261 identifier on each vacation rental license it issues which
262 identifies each individual vacation rental dwelling or unit.

263 Section 5. Effective January 1, 2025, section 509.243,
264 Florida Statutes, is created to read:

265 509.243 Advertising platforms.—

266 (1) An advertising platform shall require that a person

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267 who places an advertisement or listing for a vacation rental
268 which offers it for rent do all of the following:

269 (a) Include in the advertisement or listing the vacation
270 rental license number with the associated unique identifier and,
271 if applicable, the local registration number.

272 (b) Attest to the best of the person's knowledge that the
273 vacation rental's license and, if applicable, its local
274 registration are current and valid and that all related
275 information is accurately stated in the advertisement.

276 (2) An advertising platform shall display the vacation
277 rental license number with the associated unique identifier.

278 (3) Effective January 1, 2026, an advertising platform
279 shall:

280 (a) Remove the ability to book an advertisement or a
281 listing from its online application, software, website, or
282 system within 15 business days after notification through the
283 vacation rental information system as established in s. 509.244
284 that a vacation rental license, or, if applicable, a local
285 registration:

286 1. Has been suspended, revoked, or not renewed; or
287 2. Fails to display a valid vacation rental license number
288 with the associated unique identifier or, if applicable, a local
289 registration number.

290 (b) Provide to the division on a quarterly basis, in a
291 manner compatible with the vacation rental information system as

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292 established in s. 509.244, a list of all vacation rentals in the
293 state which are advertised on its platform, along with the
294 uniform resource locator for the Internet address of the
295 vacation rental advertisement and the vacation rental license
296 number associated with the vacation rental.

297 (4) If a guest uses a payment system on or through an
298 advertising platform to pay for the rental of a vacation rental
299 located in this state, the advertising platform must collect and
300 remit all taxes due under ss. 125.0104, 125.0108, 205.044,
301 212.03, 212.0305, and 212.055 related to the rental as provided
302 in s. 212.03(2)(b).

303 (5) If the division has probable cause to believe that a
304 person not licensed by the division has violated this chapter or
305 any rule adopted pursuant thereto, the division may issue and
306 deliver to such person a notice to cease and desist from the
307 violation. The issuance of a notice to cease and desist does not
308 constitute agency action for which a hearing under s. 120.569 or
309 s. 120.57 may be sought. For the purpose of enforcing a cease
310 and desist notice, the division may file a proceeding in the
311 name of the state seeking the issuance of an injunction or a
312 writ of mandamus against any person who violates any provision
313 of the notice. If the division is required to seek enforcement
314 of the notice for a penalty pursuant to s. 120.69, it is
315 entitled to collect attorney fees and costs, together with any
316 cost of collection.

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317 (6) The division may fine an advertising platform an
318 amount not to exceed \$1,000 per offense for each violation of
319 this section or of division rule. For the purposes of this
320 subsection, the division may regard as a separate offense each
321 day or portion of a day in which an advertising platform is
322 operated in violation of this section or rules of the division.
323 The division shall issue to the advertising platform a written
324 notice of any violation and provide it 15 days to cure the
325 violation before commencing any legal proceeding under
326 subsection (5).

327 (7) An advertising platform shall adopt an
328 antidiscrimination policy to help prevent discrimination by its
329 users and shall inform all users that it is illegal to refuse
330 accommodation to an individual based on race, creed, color, sex,
331 pregnancy, physical disability, or national origin, as provided
332 in s. 509.092.

333 (8) This section does not create a private cause of action
334 against advertising platforms. An advertising platform may not
335 be held liable for any action that it takes voluntarily and in
336 good faith in relation to its users in compliance with this
337 chapter or the advertising platform's terms of service.

338 Section 6. Section 509.244, Florida Statutes, is created
339 to read:

340 509.244 Vacation rental information system.—

341 (1) As used in this section, the term "application program

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342 interface" means a predefined protocol for reading or writing
343 data across a network using a file system or a database.

344 (2) By July 1, 2025, the division shall create and
345 maintain a vacation rental information system readily accessible
346 through an application program interface. At a minimum, the
347 system must do all of the following:

348 (a) Facilitate prompt compliance with this chapter by a
349 licensee or an advertising platform.

350 (b) Allow local government users to notify the division of
351 a termination or failure to renew, or the period of suspension
352 of, a local registration, if applicable.

353 (c) Provide a system interface to allow local governments
354 to verify the status of a vacation rental, if applicable.

355 (d) Allow a registered user to subscribe to receive
356 automated notifications of changes to the license and
357 registration status of a vacation rental, including any license
358 revocation, local registration termination, period of suspension
359 imposed by the division or local government, or failure to renew
360 a license or local registration.

361 -----
362
363 **T I T L E A M E N D M E N T**

364 Remove lines 19-95 and insert:
365 for failure to register; requiring such registration
366 programs to be administered by the local tax

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367 collector; authorizing local governments to charge a
368 specified fee for processing registration
369 applications; authorizing local laws, ordinances, or
370 regulations to require annual renewal of a
371 registration and to charge a fee for such renewal;
372 providing that a change in ownership may require a new
373 application for registration; authorizing local
374 governments to charge a specified fee to inspect a
375 vacation rental and enforce certain laws and rules for
376 issues pertaining to life safety requirements;
377 specifying requirements and procedures for, and
378 limitations on, local vacation rental registration
379 programs; authorizing local governments to fine
380 vacation rental operators under certain circumstances;
381 specifying procedures related to the imposition of
382 fines; providing applicability relating to certain
383 money judgment provisions; requiring local governments
384 to issue a written notice of violation under certain
385 circumstances; requiring the code enforcement board or
386 special magistrate to make certain recommendations
387 under specified circumstances; authorizing local
388 governments to suspend an owner's vacation rental
389 registration for specified periods of time;
390 prohibiting local governments from suspending an
391 owner's vacation rental registration for violations

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392 not directly related to the vacation rental premises;
393 requiring local governments to provide notice of
394 registration suspension, within a specified timeframe,
395 to vacation rental operators and the Division of
396 Hotels and Restaurants of the Department of Business
397 and Professional Regulation; providing requirements
398 for such notice; requiring, by a certain date, local
399 governments to use the vacation rental information
400 system to provide such notice to the division;
401 authorizing local governments to revoke or refuse to
402 renew a vacation rental registration of a specific
403 vacation rental under certain circumstances; requiring
404 local governments to provide notice of termination of
405 or refusal to renew a vacation rental registration to
406 vacation rental operators and the division within a
407 specified timeframe; requiring, by a certain date,
408 local governments to use the vacation rental
409 information system to provide such notice to the
410 division; providing that vacation rental owners may
411 appeal a denial, suspension, or termination of, or a
412 refusal to renew, the registration of a vacation
413 rental; providing procedures for such appeal;
414 authorizing a vacation rental owner to apply for
415 registration upon the sale of the vacation rental
416 premises or 6 months after revocation of or refusal to

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417 renew the vacation rental registration; providing
418 construction; amending s. 509.241, F.S.; authorizing
419 the division to issue temporary licenses upon receipt
420 of vacation rental license applications while such
421 applications are pending; providing for expiration of
422 such licenses; requiring that any license issued by
423 the division be conspicuously displayed to the public
424 inside the licensed establishment; requiring that
425 operators of vacation rentals which offer a vacation
426 rental for transient occupancy through an advertising
427 platform also display to the public inside the
428 vacation rental its local registration number, if
429 applicable; requiring licensees or licensed agents
430 managing a license classified as a vacation rental to
431 submit local vacation rental registration numbers, if
432 applicable, to the division through the division's
433 online system; requiring the division to include a
434 unique identifier on each vacation rental license
435 issued which identifies each individual vacation
436 rental dwelling or unit; creating s. 509.243, F.S.;
437 requiring advertising platforms to require that
438 persons placing advertisements or listings for
439 vacation rentals include certain information in the
440 advertisements or listings and attest to certain
441 information; requiring advertising platforms to

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442 display certain information; requiring, as of a
443 specified date, advertising platforms to remove the
444 ability to book an advertisement or a listing under
445 certain circumstances and to provide to the division
446 on a quarterly basis, in a specified manner, a list of
447 all vacation rentals in the state which are advertised
448 on its platforms, along with other specified
449 information; requiring advertising platforms