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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/18/2024	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 241 - 815

and insert:

(b) The following are excluded from the definitions in paragraph (a):

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.

2. Any facility certified or licensed and regulated by the



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11 Agency for Health Care Administration or the Department of
12 Children and Families or other similar place regulated under s.
13 381.0072.

14 3. Any place renting four rental units or less, unless the
15 rental units are advertised or held out to the public to be
16 places that are regularly rented to transients.

17 4. Any unit or group of units in a condominium,
18 cooperative, or timeshare plan and any individually or
19 collectively owned one-family, two-family, three-family, or
20 four-family dwelling house or dwelling unit that is rented for
21 periods of at least 30 days or 1 calendar month, whichever is
22 less, and that is not advertised or held out to the public as a
23 place regularly rented for periods of less than 1 calendar
24 month, provided that no more than four rental units within a
25 single complex of buildings are available for rent.

26 5. Any migrant labor camp or residential migrant housing
27 permitted by the Department of Health under ss. 381.008-
28 381.00895.

29 6. Any establishment inspected by the Department of Health
30 and regulated by chapter 513.

31 7. A facility operated by a nonprofit which provides ~~Any~~
32 ~~nonprofit organization that operates a facility providing~~
33 housing only to patients, patients' families, and patients'
34 caregivers and not to the general public.

35 8. Any apartment building inspected by the United States
36 Department of Housing and Urban Development or other entity
37 acting on the department's behalf which ~~that~~ is designated
38 primarily as housing for persons at least 62 years of age. The
39 division may require the operator of the apartment building to



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40 attest in writing that such building meets the criteria provided
41 in this subparagraph. The division may adopt rules to implement
42 this requirement.

43 9. Any roominghouse, boardinghouse, or other living or
44 sleeping facility that may not be classified as a hotel, motel,
45 timeshare project, vacation rental, nontransient apartment, bed
46 and breakfast inn, or transient apartment under s. 509.242.

47 (9) (a) (5) (a) "Public food service establishment" means any
48 building, vehicle, place, or structure, or any room or division
49 in a building, vehicle, place, or structure where food is
50 prepared, served, or sold for immediate consumption on or in the
51 vicinity of the premises; called for or taken out by customers;
52 or prepared before ~~prior to~~ being delivered to another location
53 for consumption. The term includes a culinary education program,
54 as defined in s. 381.0072(2), which offers, prepares, serves, or
55 sells food to the general public, regardless of whether it is
56 inspected by another state agency for compliance with sanitation
57 standards.

58 (b) The following are excluded from the definition in
59 paragraph (a):

60 1. Any place maintained and operated by a public or private
61 school, college, or university:

62 a. For the use of students and faculty; or

63 b. Temporarily, to serve such events as fairs, carnivals,
64 food contests, cook-offs, and athletic contests.

65 2. Any eating place maintained and operated by a church or
66 a religious, nonprofit fraternal, or nonprofit civic
67 organization:

68 a. For the use of members and associates; or



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69 b. Temporarily, to serve such events as fairs, carnivals,
70 food contests, cook-offs, or athletic contests.

71
72 Upon request by the division, a church or a religious, nonprofit
73 fraternal, or nonprofit civic organization claiming an exclusion
74 under this subparagraph must provide the division documentation
75 of its status as a church or a religious, nonprofit fraternal,
76 or nonprofit civic organization.

77 3. Any eating place maintained and operated by an
78 individual or entity at a food contest, cook-off, or a temporary
79 event lasting from 1 to 3 days which is hosted by a church or a
80 religious, nonprofit fraternal, or nonprofit civic organization.
81 Upon request by the division, the event host must provide the
82 division documentation of its status as a church or a religious,
83 nonprofit fraternal, or nonprofit civic organization.

84 4. Any eating place located on an airplane, a train, a bus,
85 or a watercraft that ~~which~~ is a common carrier.

86 5. Any eating place maintained by a facility certified or
87 licensed and regulated by the Agency for Health Care
88 Administration or the Department of Children and Families or
89 other similar place that is regulated under s. 381.0072.

90 6. Any place of business issued a permit or inspected by
91 the Department of Agriculture and Consumer Services under s.
92 500.12.

93 7. Any place of business where the food available for
94 consumption is limited to ice, beverages with or without
95 garnishment, popcorn, or prepackaged items sold without
96 additions or preparation.

97 8. Any theater, if the primary use is as a theater and if



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98 patron service is limited to food items customarily served to
99 the admittees of theaters.

100 9. Any vending machine that dispenses any food or beverages
101 other than potentially hazardous foods, as defined by division
102 rule.

103 10. Any vending machine that dispenses potentially
104 hazardous food and which is located in a facility regulated
105 under s. 381.0072.

106 11. Any research and development test kitchen limited to
107 the use of employees and which is not open to the general
108 public.

109 ~~(2)(6)~~ "Director" means the Director of the Division of
110 Hotels and Restaurants of the Department of Business and
111 Professional Regulation.

112 ~~(11)(7)~~ "Single complex of buildings" means all buildings
113 or structures that are owned, managed, controlled, or operated
114 under one business name and are situated on the same tract or
115 plot of land that is not separated by a public street or
116 highway.

117 ~~(12)(8)~~ "Temporary food service event" means any event of
118 30 days or less in duration where food is prepared, served, or
119 sold to the general public.

120 ~~(13)(9)~~ "Theme park or entertainment complex" means a
121 complex comprised of at least 25 contiguous acres owned and
122 controlled by the same business entity and which contains
123 permanent exhibitions and a variety of recreational activities
124 and has a minimum of 1 million visitors annually.

125 ~~(14)(10)~~ "Third-party provider" means, for purposes of s.
126 509.049, any provider of an approved food safety training



127 program that provides training or such a training program to a
128 public food service establishment that is not under common
129 ownership or control with the provider.

130 (16)~~(11)~~ "Transient establishment" means any public lodging
131 establishment that is rented or leased to guests by an operator
132 whose intention is that such guests' occupancy will be
133 temporary.

134 (17)~~(12)~~ "Transient occupancy" means occupancy when it is
135 the intention of the parties that the occupancy will be
136 temporary. There is a rebuttable presumption that, when the
137 dwelling unit occupied is not the sole residence of the guest,
138 the occupancy is transient.

139 (15)~~(13)~~ "Transient" means a guest in transient occupancy.

140 (6)~~(14)~~ "Nontransient establishment" means any public
141 lodging establishment that is rented or leased to guests by an
142 operator whose intention is that the dwelling unit occupied will
143 be the sole residence of the guest.

144 (7)~~(15)~~ "Nontransient occupancy" means occupancy when it is
145 the intention of the parties that the occupancy will not be
146 temporary. There is a rebuttable presumption that, when the
147 dwelling unit occupied is the sole residence of the guest, the
148 occupancy is nontransient.

149 (5)~~(16)~~ "Nontransient" means a guest in nontransient
150 occupancy.

151 Section 3. Paragraph (c) of subsection (3) and subsection
152 (7) of section 509.032, Florida Statutes, are amended, and
153 subsection (8) is added to that section, to read:

154 509.032 Duties.—

155 (3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD SERVICE



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156 EVENTS.—The division shall:

157 (c) Administer a public notification process for temporary
158 food service events and distribute educational materials that
159 address safe food storage, preparation, and service procedures.

160 1. Sponsors of temporary food service events shall notify
161 the division not less than 3 days before the scheduled event of
162 the type of food service proposed, the time and location of the
163 event, a complete list of food service vendors participating in
164 the event, the number of individual food service facilities each
165 vendor will operate at the event, and the identification number
166 of each food service vendor's current license as a public food
167 service establishment or temporary food service event licensee.
168 Notification may be completed orally, by telephone, in person,
169 or in writing. A public food service establishment or food
170 service vendor may not use this notification process to
171 circumvent the license requirements of this chapter.

172 2. The division shall keep a record of all notifications
173 received for proposed temporary food service events and shall
174 provide appropriate educational materials to the event sponsors
175 and notify the event sponsors of the availability of the food-
176 recovery brochure developed under s. 595.420.

177 3.a. Unless excluded under s. 509.013(9)(b) ~~s.~~
178 ~~509.013(5)(b)~~, a public food service establishment or other food
179 service vendor must obtain one of the following classes of
180 license from the division: an individual license, for a fee of
181 no more than \$105, for each temporary food service event in
182 which it participates; or an annual license, for a fee of no
183 more than \$1,000, which ~~that~~ entitles the licensee to
184 participate in an unlimited number of food service events during



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185 the license period. The division shall establish license fees,
186 by rule, and may limit the number of food service facilities a
187 licensee may operate at a particular temporary food service
188 event under a single license.

189 b. Public food service establishments holding current
190 licenses from the division may operate under the regulations of
191 such a license at temporary food service events.

192 (7) PREEMPTION AUTHORITY.—

193 (a) The regulation of public lodging establishments and
194 public food service establishments, including, but not limited
195 to, sanitation standards, licensing, inspections, training and
196 testing of personnel, and matters related to the nutritional
197 content and marketing of foods offered in such establishments,
198 is preempted to the state. This paragraph does not preempt the
199 authority of a local government or local enforcement district to
200 conduct inspections of public lodging and public food service
201 establishments for compliance with the Florida Building Code and
202 the Florida Fire Prevention Code, pursuant to ss. 553.80 and
203 633.206.

204 (b) A local law, ordinance, or regulation may not prohibit
205 vacation rentals or regulate the duration or frequency of rental
206 of vacation rentals. This paragraph and subsection (8) do does
207 not apply to any local law, ordinance, or regulation adopted on
208 or before June 1, 2011, including such a law, ordinance, or
209 regulation that is amended to be less restrictive or to comply
210 with the local registration requirements provided in subsection
211 (8), or when a law, ordinance, or regulation adopted after June
212 1, 2011, regulates vacation rentals, if such law, ordinance, or
213 regulation is less restrictive than a law, ordinance, or



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214 regulation that was in effect on June 1, 2011.

215 (c) Paragraph (b) and subsection (8) do ~~does~~ not apply to
216 any local law, ordinance, or regulation exclusively relating to
217 property valuation as a criterion for vacation rental if the
218 local law, ordinance, or regulation is required to be approved
219 by the state land planning agency pursuant to an area of
220 critical state concern designation.

221 (d) The regulation of advertising platforms is preempted to
222 the state.

223 (8) LOCAL REGISTRATION OF VACATION RENTALS; SUSPENSION;
224 REVOCATIONS; FINES.—Notwithstanding paragraph (7)(a), a local
225 law, ordinance, or regulation may require the registration of
226 vacation rentals with a local vacation rental registration
227 program. Local governments may implement a vacation rental
228 registration program pursuant to this subsection and may impose
229 a fine for failure to register under the local program.

230 (a) A local government may charge a reasonable fee per unit
231 for processing a registration application. A local law,
232 ordinance, or regulation may require annual renewal of a
233 registration and may charge a reasonable renewal fee per unit
234 for processing of a registration renewal. However, if there is a
235 change of ownership, the new owner may be required to submit a
236 new application for registration. Subsequent to the registration
237 of a vacation rental, a local government may charge a reasonable
238 fee to inspect a vacation rental after registration for
239 compliance with the Florida Building Code and the Florida Fire
240 Prevention Code, described in ss. 553.80 and 633.206,
241 respectively.

242 (b) As a condition of registration or renewal of a vacation



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243 rental, a local law, ordinance, or regulation establishing a
244 local vacation rental registration program may only require the
245 operator of a vacation rental to do the following:

246 1. Submit identifying information about the owner and the
247 operator, if applicable, and the subject vacation rental
248 premises.

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

251 3. Obtain all required tax registrations, receipts, or
252 certificates issued by the Department of Revenue, a county, or a
253 municipality.

254 4. Update required information as necessary to ensure it is
255 current.

256 5. Designate and maintain at all times a responsible party
257 who is capable of responding to complaints or emergencies
258 related to the vacation rental, including being available by
259 telephone at a provided contact telephone number 24 hours a day,
260 7 days a week, and receiving legal notice of violations on
261 behalf of the vacation rental operator.

262 6. State the maximum occupancy of the vacation rental in
263 compliance with the Florida Fire Prevention Code, described in
264 s. 633.206.

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

267 (c) Within 15 business days after receiving an application
268 for registration of a vacation rental, a local government shall
269 review the application for completeness and accept the
270 registration of the vacation rental or issue a written notice of
271 denial.



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

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

279 (d) If a local government denies a registration of a
280 vacation rental, the local government must give written notice
281 to the applicant. Such notice may be provided by United States
282 mail or electronically. The notice must specify with
283 particularity the factual reasons for the denial and include a
284 citation to the applicable portions of the ordinance, rule,
285 statute, or other legal authority for the denial of the
286 registration. A local government may not prohibit an applicant
287 from reapplying if the applicant cures the identified
288 deficiencies.

289 (e)1. Upon acceptance of a vacation rental registration, a
290 local government shall assign a unique registration number to
291 the vacation rental unit and provide the registration number or
292 other indicia of registration to the vacation rental operator in
293 writing or electronically.

294 2. The vacation rental operator must provide the vacation
295 rental registration number to the division within 5 days after
296 receipt of the registration number.

297 (f)1. A local government may fine a vacation rental
298 operator up to \$500 if he or she:

299 a. Fails to continue to meet the registration requirements
300 in paragraph (b);



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301 b. Is operating a vacation rental without registering it
302 with the local government as a vacation rental; or

303 c. Fails to provide the division with the unique
304 registration number as required in paragraph (e).

305 2. Before issuing a fine, the local government shall issue
306 written notice of such violation and provide a vacation rental
307 operator 15 days to cure the violation. If the vacation rental
308 operator has not cured the violation within the 15 days, the
309 local government may issue a fine.

310 (g) A certified copy of an order imposing a fine may be
311 recorded in the public records and thereafter constitutes a lien
312 against the real property on which the violation exists and upon
313 any other real or personal property owned by the violator. Upon
314 petition to the circuit court, such order is enforceable in the
315 same manner as a court judgment by the sheriffs of this state,
316 including execution and levy against the personal property of
317 the violator, but such order may not be deemed to be a court
318 judgment except for enforcement purposes. A fine imposed
319 pursuant to this subsection will continue to accrue until the
320 violator comes into compliance or until judgment is rendered in
321 a suit filed pursuant to this section, whichever occurs first. A
322 lien arising from a fine imposed pursuant to this subsection
323 runs in favor of the local government, and the local government
324 shall execute a satisfaction or release of lien upon full
325 payment. If such lien remains unpaid 3 months or more after the
326 filing of the lien, the local government may foreclose on the
327 lien against the real property on which the violation exists or
328 sue to recover a money judgment for the amount of the lien, plus
329 accrued interest. A lien created pursuant to this part may not



330 be foreclosed on real property that is a homestead under s. 4,
331 Art. X of the State Constitution. The money judgment provisions
332 of this section do not apply to real property or personal
333 property that is covered under s. 4(a), Art. X of the State
334 Constitution.

335 (h)1. If a code violation related to the vacation rental is
336 found by the code enforcement board or special magistrate to be
337 a material violation of a local law, ordinance, or regulation
338 that does not solely apply to vacation rentals, and the
339 violation is directly related to the vacation rental premises,
340 the local government must issue a written notice of such
341 violation.

342 2. If a code violation related to the vacation rental is
343 found to be a material violation of a local law, ordinance, or
344 regulation as described in subparagraph 1., the code enforcement
345 board or special magistrate must make a recommendation to the
346 local government as to whether a vacation rental registration
347 should be suspended.

348 3. The code enforcement board or special magistrate must
349 recommend the suspension of the vacation rental registration if
350 there are:

351 a. One or more violations on 5 separate days during a 60-
352 day period;

353 b. One or more violations on 5 separate days during a 30-
354 day period; or

355 c. One or more violations after two prior suspensions of
356 the vacation rental registration.

357 4. If the code enforcement board or special magistrate
358 recommends suspension of a vacation rental registration, a local



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359 government may suspend such registration for a period of:
360 a. Up to 30 days for one or more violations on 5 separate
361 days during a 60-day period;
362 b. Up to 60 days for one or more violations on 5 separate
363 days during a 30-day period; or
364 c. Up to 90 days for one or more violations after two prior
365 suspensions of a vacation rental registration.
366 5. A local government may not suspend a vacation rental
367 registration for violations of a local law, ordinance, or
368 regulation which are not directly related to the vacation rental
369 premises.
370 6. A local government must provide notice of the suspension
371 of a vacation rental registration to the vacation rental
372 operator and the division within 5 days after the suspension.
373 The notice must include the start date of the suspension, which
374 must be at least 21 days after the suspension notice is sent to
375 the vacation rental operator and the division. Effective January
376 1, 2026, a local government must use the vacation rental
377 information system described in s. 509.244 to provide notice of
378 the suspension of a vacation rental registration to the
379 division.
380 (i)1. A local government may revoke or refuse to renew a
381 vacation rental registration if:
382 a. A vacation rental registration has been suspended three
383 times pursuant to paragraph (h);
384 b. There is an unsatisfied, recorded municipal lien or
385 county lien on the real property of the vacation rental.
386 However, the local government must allow the vacation rental
387 operator at least 60 days before the revocation of a



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388 registration to satisfy the recorded municipal lien or county
389 lien; or

390 c. The vacation rental premises and its owner are the
391 subject of a final order or judgment by a court of competent
392 jurisdiction lawfully directing the termination of the premises'
393 use as a vacation rental.

394 2. A local government must provide notice within 5 days
395 after the revocation of, or refusal to renew, a vacation rental
396 registration to the vacation rental operator and the division.
397 The notice must include the date of revocation or nonrenewal,
398 which must be at least 21 days after the date such notice is
399 sent to the vacation rental operator and the division. Effective
400 January 1, 2026, a local government must use the vacation rental
401 information system described in s. 509.244 to provide notice of
402 the revocation of or refusal to renew a vacation rental
403 registration to the division.

404 (j) A vacation rental operator may appeal a denial,
405 suspension, or revocation of a vacation rental registration, or
406 a refusal to renew such registration, to the circuit court. An
407 appeal must be filed within 30 days after the issuance of the
408 denial, suspension, or revocation of, or refusal to renew, the
409 vacation rental registration. The court may assess and award
410 reasonable attorney fees and costs and damages to the prevailing
411 party.

412
413 This subsection does not prohibit a local government from
414 establishing a local law, ordinance, or regulation if it is
415 uniformly applied without regard to whether the residential
416 property is used as a vacation rental.



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417 Section 4. Effective January 1, 2025, present paragraph (c)
418 of subsection (4) of section 509.241, Florida Statutes, is
419 redesignated as paragraph (d), a new paragraph (c) is added to
420 that subsection, subsection (5) is added to that section, and
421 subsections (2) and (3) of that section are amended, to read:

422 509.241 Licenses required; exceptions; division online
423 accounts and transactions.—

424 (2) APPLICATION FOR LICENSE.—Each person who plans to open
425 a public lodging establishment or a public food service
426 establishment shall apply for and receive a license from the
427 division before ~~prior to~~ the commencement of operation. A
428 condominium association, as defined in s. 718.103, which does
429 not own any units classified as vacation rentals or timeshare
430 projects under s. 509.242(1)(c) or (g) is not required to apply
431 for or receive a public lodging establishment license. Upon
432 receiving an application for a vacation rental license, the
433 division may grant a temporary license that authorizes the
434 vacation rental to begin operation while the application is
435 pending. The temporary license automatically expires upon final
436 agency action regarding the license application.

437 (3) DISPLAY OF LICENSE.—A ~~Any~~ license issued by the
438 division must ~~shall~~ be conspicuously displayed to the public
439 inside ~~in the office or lobby of the~~ licensed establishment.
440 Public food service establishments that ~~which~~ offer catering
441 services must ~~shall~~ display their license number on all
442 advertising for catering services. The vacation rental's local
443 registration number must, if applicable, be conspicuously
444 displayed inside the vacation rental.

445 (4) ONLINE ACCOUNT AND TRANSACTIONS.—Each person who plans



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446 to open a public lodging establishment or a public food service
447 establishment and each licensee or licensed agent must create
448 and maintain a division online account and provide an e-mail
449 address to the division to function as the primary contact for
450 all communication from the division.

451 (c) Each vacation rental operator managing a license
452 classified as a vacation rental as defined in s. 509.242(1)(c)
453 must submit to the division, through the division's online
454 system, any applicable local vacation rental registration number
455 within 5 days after registration.

456 (5) UNIQUE IDENTIFIER.—The division shall assign a unique
457 identifier on each vacation rental license which identifies each
458 individual vacation rental dwelling or unit.

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

461 509.243 Advertising platforms.—

462 (1) An advertising platform shall require that a person who
463 places an advertisement or a listing of a vacation rental which
464 offers it for rent do all of the following:

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

468 (b) Attest to the best of the person's knowledge that the
469 vacation rental's license with the associated unique identifier
470 and, if applicable, its local registration are current and valid
471 and that all related information is accurately stated in the
472 advertisement.

473 (2) An advertising platform shall display the vacation
474 rental license number with the associated unique identifier,



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475 and, if applicable, the local registration number.
476 (3) Effective January 1, 2026, an advertising platform:
477 (a) Shall use the vacation rental information system
478 described in s. 509.244 to verify that the vacation rental
479 license number with the associated unique identifier, and, if
480 applicable, the local registration number, are current, valid,
481 and apply to the subject vacation rental before publishing an
482 advertisement or a listing on its platform.
483 (b) May not advertise or list on its platform a vacation
484 rental that fails to provide a valid vacation rental license
485 number with the associated unique identifier, and, if
486 applicable, the local registration number as indicated on the
487 vacation rental information system described in s. 509.244.
488 (c) Shall remove from public view an advertisement or a
489 listing from its online application, software, website, or
490 system within 15 business days after notification that a
491 vacation rental license, or if applicable, a local registration:
492 1. Has been suspended, revoked, or not renewed; or
493 2. Fails to display a valid vacation rental license number
494 with the associated unique identifier or, if applicable, a local
495 registration number.
496 (d) Shall notify the division within 15 days after any
497 advertisement or listing on its online application, software,
498 website, or system fails to display a valid vacation rental
499 license number with associated unique identifier or, if
500 applicable, a local registration number.
501 (4) If a guest uses a payment system on or through an
502 advertising platform to pay for the rental of a vacation rental
503 located in this state, the advertising platform must collect and



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504 remit all taxes due under ss. 125.0104, 125.0108, 205.044,
505 212.03, 212.0305, and 212.055 related to the rental as provided
506 in s. 212.03(2)(b).

507 (5) If the division has probable cause to believe that a
508 person not licensed by the division has violated this chapter or
509 any rule adopted pursuant thereto, the division may issue and
510 deliver to such person a notice to cease and desist from the
511 violation. The issuance of a notice to cease and desist does not
512 constitute agency action for which a hearing under s. 120.569 or
513 s. 120.57 may be sought. For the purpose of enforcing a cease
514 and desist notice, the division may file a proceeding in the
515 name of the state seeking the issuance of an injunction or a
516 writ of mandamus against any person who violates any provision
517 of the notice. If the division is required to seek enforcement
518 of the notice for a penalty pursuant to s. 120.69, it is
519 entitled to collect attorney fees and costs, together with any
520 cost of collection.

521 (6) The division may fine an advertising platform an amount
522 not to exceed \$1,000 per offense for each violation of this
523 section or of division rule. For the purposes of this
524 subsection, the division may regard as a separate offense each
525 day or portion of a day in which an advertising platform is
526 operated in violation of this section or rules of the division.
527 The division shall issue to the advertising platform a written
528 notice of any violation and provide it 15 days to cure the
529 violation before commencing any legal proceeding under
530 subsection (5).

531 (7) An advertising platform shall adopt an
532 antidiscrimination policy to help prevent discrimination by its



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533 users and shall inform all users that it is illegal to refuse
534 accommodation to an individual based on race, creed, color, sex,
535 pregnancy, physical disability, or national origin, as provided
536 in s. 509.092.

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

542 Section 6. Section 509.244, Florida Statutes, is created to
543 read:

544 509.244 Vacation rental information system.—

545 (1) As used in this section, the term "application program
546 interface" means a predefined protocol for reading or writing
547 data across a network using a file system or a database.

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

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

554 (b) Allow advertising platforms to search by vacation
555 rental license number with the associated unique identifier,
556 applicable local registration number, and a listing status field
557 that indicates whether the premises is compliant with applicable
558 license and registration requirements to allow a platform to
559 determine whether it may advertise the vacation rental.

560 (c) Allow local government users to notify the division of
561 a revocation or failure to renew, or the period of suspension



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562 of, a local registration, if applicable.

563 (d) Provide a system interface to allow local governments
564 and advertising platforms to verify the status of a vacation
565 rental license and a local registration of a vacation rental, if
566 applicable.

567 (e) Allow a registered user to subscribe to receive
568 automated notifications of changes to the license and
569 registration status of a vacation rental, including any license
570 revocation, local registration revocation, period of suspension
571 imposed by the division or local government, or failure to renew
572 a license or local registration.

573 Section 7. Subsection (11) is added to section 509.261,
574 Florida Statutes, to read:

575 509.261 Revocation or suspension of licenses; fines;
576 procedure.—

577 (11) (a) The division may revoke, refuse to issue or renew,
578 or suspend for a period of not more than 30 days or the period
579 of suspension as provided in s. 509.032(8) a license of a
580 vacation rental for any of the following reasons:

581 1. Operation of the subject premises violates the terms of
582 an applicable lease or property restriction, including any
583 property restriction adopted pursuant to chapter 718, chapter
584 719, or chapter 720, as determined by a final order of a court
585 of competent jurisdiction or a written decision by an arbitrator
586 authorized to arbitrate a dispute relating to the subject
587 premises and a lease or property restriction.

588 2. Local registration of the vacation rental is suspended
589 or revoked by a local government as provided in s. 509.032(8).

590 3. The vacation rental premises and its owner are the



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591 subject of a final order or judgment lawfully directing the
592 termination of the premises' use as a vacation rental.

593 (b) The division must specify the license number with the
594 associated unique identifier of the vacation rental dwelling or
595 unit which has been revoked, not renewed, or suspended and input
596 such status in the vacation rental information system described
597 in s. 509.244.

598 (c) If the division suspends a license for the reason
599 specified in subparagraph (a)2., the suspension must run
600 concurrently with the local registration suspension.

601 Section 8. For the 2024-2025 fiscal year, the sums of
602 \$327,170 in recurring funds and \$53,645 in nonrecurring funds
603 from the Hotel and Restaurant Trust Fund and \$645,202 in
604 recurring funds and \$3,295,884 in nonrecurring funds from the
605 Administrative Trust Fund are appropriated to the Department of
606 Business and Professional Regulation, and nine full-time
607 equivalent positions with a total associated salary rate of
608 513,417 are authorized, for the purposes of implementing this
609 act.

610
611 ===== T I T L E A M E N D M E N T =====

612 And the title is amended as follows:

613 Delete lines 20 - 129

614 and insert:

615 to charge a reasonable fee for processing registration
616 applications; authorizing local laws, ordinances, or
617 regulations to require annual renewal of a
618 registration and to charge a reasonable fee for such
619 renewal; providing that a change in ownership may



620 require a new application for registration;
621 authorizing local governments to charge a reasonable
622 fee to inspect a vacation rental for a specified
623 purpose; specifying requirements and procedures for,
624 and limitations on, local vacation rental registration
625 programs; authorizing local governments to fine
626 vacation rental operators under certain circumstances;
627 specifying procedures related to the imposition of
628 fines; providing applicability relating to certain
629 money judgment provisions; requiring local governments
630 to issue a written notice of violation under certain
631 circumstances; requiring the code enforcement board or
632 special magistrate to make certain recommendations
633 under specified circumstances; authorizing local
634 governments to suspend a vacation rental registration
635 for specified periods of time; prohibiting local
636 governments from suspending a vacation rental
637 registration for violations that are not directly
638 related to the vacation rental premises; requiring
639 local governments to provide notice of registration
640 suspension, within a specified timeframe, to vacation
641 rental operators and the Division of Hotels and
642 Restaurants of the Department of Business and
643 Professional Regulation; providing requirements for
644 such notice; requiring, by a certain date, that local
645 governments use the vacation rental information system
646 to provide such notice to the division; providing that
647 local governments may revoke or refuse to renew a
648 vacation rental registration under certain



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649 circumstances; requiring local governments to provide
650 notice of revocation of or refusal to renew a vacation
651 rental registration to vacation rental operators and
652 the division within a specified timeframe; requiring,
653 by a certain date, local governments to use the
654 vacation rental information system to provide such
655 notice to the division; providing that vacation rental
656 operators may appeal a denial, suspension, or
657 revocation of, or a refusal to renew, the registration
658 of a vacation rental; providing procedures for such
659 appeal; providing construction; amending s. 509.241,
660 F.S.; authorizing the division to issue temporary
661 licenses upon receipt of vacation rental license
662 applications while such applications are pending;
663 providing for expiration of such licenses; requiring
664 that any license issued by the division be
665 conspicuously displayed to the public inside the
666 licensed establishment; requiring that a vacation
667 rental's registration number, if applicable, be
668 conspicuously displayed inside the vacation rental;
669 requiring vacation rental operators managing a license
670 classified as a vacation rental to submit local
671 vacation rental registration numbers, if applicable,
672 within a specified timeframe to the division through
673 the division's online system; requiring the division
674 to assign a unique identifier on each vacation rental
675 license which identifies each individual vacation
676 rental dwelling or unit; creating s. 509.243, F.S.;

677 requiring advertising platforms to require that



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678 persons placing advertisements or listings for
679 vacation rentals include certain information in the
680 advertisements or listings and attest to certain
681 information; requiring advertising platforms to
682 display certain information; requiring, as of a
683 specified date, advertising platforms to verify
684 certain information before publishing an advertisement
685 or listing on their platforms, prohibit and remove
686 from public view an advertisement or a listing under
687 certain circumstances, and make certain notifications
688 to the division; requiring advertising platforms to
689 collect and remit specified taxes for certain
690 transactions; authorizing the division to issue and
691 deliver a notice to cease and desist for certain
692 violations; providing that such notice does not
693 constitute agency action for which certain hearings
694 may be sought; authorizing the division to issue cease
695 and desist notices in certain circumstances; providing
696 that issuance of such notice does not constitute an
697 agency action; authorizing the division to file
698 certain proceedings for the purpose of enforcing a
699 cease and desist notice; authorizing the division to
700 collect attorney fees and costs under certain
701 circumstances; authorizing the division to impose a
702 fine on advertising platforms for certain violations;
703 requiring the division to issue written notice of
704 violations to advertising platforms before commencing
705 certain legal proceedings; requiring advertising
706 platforms to adopt an antidiscrimination policy and to



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707 inform their users of the policy's provisions;
708 providing construction; creating s. 509.244, F.S.;
709 defining the term "application program interface";
710 requiring the division, by a specified date, to create
711 and maintain a certain vacation rental information
712 system; specifying requirements for the system;
713 amending s. 509.261, F.S.; authorizing the division to
714 revoke, refuse to issue or renew, or suspend vacation
715 rental licenses under certain circumstances; requiring
716 the division to specify the license number of the
717 vacation rental dwelling or unit which has been
718 revoked, not renewed, or suspended; requiring the
719 department to input such status in the vacation rental
720 information system; requiring that the division's
721 vacation rental license suspension run concurrently
722 with a local vacation rental registration suspension;
723 providing an appropriation;