

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WITHDRAWN	___	(Y/N)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	_____	

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Johnson offered the following:

Amendment

Remove lines 59-110 and insert:

~~not be~~ temporary. The term does not include the occupancy of a dwelling unit at a hotel, motel, vacation rental, bed and breakfast inn, or timeshare project, as defined in s. 509.242, unless a written rental or lease agreement expressly states that the dwelling unit is the sole residence of the guest ~~There is a rebuttable presumption that, when the dwelling unit occupied is the sole residence of the guest, the occupancy is nontransient.~~

Section 2. Section 509.141, Florida Statutes, is amended to read:

509.141 Refusal of admission and ejection of undesirable

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17 | guests; notice; procedure; penalties for refusal to leave.—

18 | (1) The operator of a ~~any~~ public lodging establishment or
19 | public food service establishment may remove or cause to be
20 | removed from such establishment, in the manner ~~hereinafter~~
21 | provided for in this section, any guest of the establishment
22 | who:

23 | (a) ~~who~~, While on the premises of the establishment,
24 | illegally possesses or deals in controlled substances as defined
25 | in chapter 893 or is intoxicated, profane, lewd, or brawling;

26 | (b) ~~who~~ Indulges in any language or conduct which disturbs
27 | the peace and comfort of other guests or which injures the
28 | reputation, dignity, or standing of the establishment;

29 | (c) ~~who~~, In the case of a public lodging establishment,
30 | fails to make payment of rent at the agreed-upon rental rate by
31 | the ~~agreed-upon~~ checkout time specified in writing by the public
32 | lodging establishment;

33 | (d) ~~who~~, In the case of a public lodging establishment,
34 | fails to check out by the time specified in writing by the
35 | ~~agreed upon in writing by the guest and~~ public lodging
36 | establishment at check-in, unless an extension of time is agreed
37 | to by the public lodging establishment and guest before ~~prior to~~
38 | checkout;

39 | (e) ~~who~~, In the case of a public food service
40 | establishment, fails to make payment for food, beverages, or
41 | services; or

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42 (f) ~~who,~~ In the opinion of the operator, is a person the
43 continued entertainment of whom would be detrimental to such
44 establishment.

45
46 The admission to, or the removal from, such establishment shall
47 not be based upon race, creed, color, sex, physical disability,
48 or national origin.

49 (2) The operator of a any public lodging establishment or
50 public food service establishment shall notify the such guest
51 that the establishment no longer desires to entertain the guest
52 and shall request that the such guest immediately depart from
53 the establishment. The such notice may be given orally or in
54 writing. A public lodging establishment requesting a guest to
55 immediately depart because the guest failed to checkout or
56 failed to pay for their dwelling unit by the check-out time must
57 provide the notice in writing via email, text message, or
58 printed paper. The notice is effective upon delivery, whether
59 delivery of notice is given in person or by telephone or e-mail,
60 using the contact information provided by the guest, or, with
61 respect to a public lodging establishment, upon delivery to the
62 guest's dwelling unit. If the notice is in writing, it shall be
63 as follows: