

CS/HB 481

2026

A bill to be entitled  
An act relating to public nuisance abatement; amending  
s. 893.138, F.S.; revising provisions relating to the  
assessment and collection of fines for public  
nuisances; defining the term "legal assistant";  
removing a limit on the total amount of fines that may  
be imposed on a public nuisance; providing an  
effective date.

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

Section 1. Subsection (11) of section 893.138, Florida Statutes, is amended to read:

893.138 Local administrative action to abate certain activities declared public nuisances.—

(11) The provisions of this section may be supplemented by a county or municipal ordinance. The ordinance may include, but is not limited to:

(a), provisions that establish additional Penalties for public nuisances, including fines not to exceed \$250 per day. If the nuisance activity is not abated within 1 year, the fines increase to \$500 per day. In determining the amount of the fine, if any, the nuisance abatement board shall consider the gravity of the public nuisance and any actions taken by the owner to correct the public nuisance.

26        ~~(b); provide for the payment of reasonable costs, including~~  
27 Reasonable attorney fees associated with investigations of and  
28 hearings on public nuisances. If attorney fees are requested,  
29 the nuisance abatement board shall award attorney fees after  
30 considering, among other things, time and labor of any legal  
31 assistants who contributed nonclerical, meaningful legal support  
32 to the matter involved and who are working under the supervision  
33 of an attorney. For purposes of this paragraph, the term "legal  
34 assistant" means a person who, under the supervision and  
35 direction of a licensed attorney, engages in legal research, and  
36 case development or planning.

37        ~~(c); provide for~~ Continuing jurisdiction for a period of 1  
38 year over any place or premises that has been or is declared to  
39 be a public nuisance until the public nuisance is abated.

40        ~~(d); establish penalties, including fines not to exceed~~  
41 ~~\$500 per day for recurring public nuisances; provide for the~~  
42 ~~recording of orders on public nuisances so that notice must be~~  
43 ~~given to subsequent purchasers, successors in interest, or~~  
44 ~~assigns of the real property that is the subject of the order;~~  
45 ~~provide that recorded orders on public nuisances may become~~  
46 ~~liens against the real property that is the subject of the~~  
47 ~~order; and provide for the Foreclosure of property subject to a~~  
48 ~~lien and the recovery of all costs, including reasonable~~  
49 ~~attorney fees, associated with the recording of orders and~~  
50 ~~foreclosure. After 3 months from the filing of any such lien~~

51     which remains unpaid, the nuisance abatement board may authorize  
52     the appropriate entity to foreclose on the lien. If the nuisance  
53     abatement activity is unabated after 2 years, the nuisance  
54     abatement board shall authorize and require the appropriate  
55     entity to foreclose on the lien. No lien created pursuant to the  
56     provisions of this section may be foreclosed on real property  
57     which is a homestead under s. 4, Art. X of the State  
58     Constitution. Where a local government seeks to bring an  
59     administrative action, based on a stolen property nuisance,  
60     against a property owner operating an establishment where  
61     multiple tenants, on one site, conduct their own retail  
62     business, the property owner shall not be subject to a lien  
63     against his or her property or the prohibition of operation  
64     provision if the property owner evicts the business declared to  
65     be a nuisance within 90 days after notification by registered  
66     mail to the property owner of a second stolen property  
67     conviction of the tenant. ~~The total fines imposed pursuant to~~  
68     ~~the authority of this section shall not exceed \$15,000. Nothing~~  
69     ~~contained within~~ This section does not prohibit ~~prohibits~~ a  
70     county or municipality from proceeding against a public nuisance  
71     by any other means.

72     **Section 2.** This act shall take effect July 1, 2026.