HB 105 2023

A bill to be entitled

An act relating to preemption of the regulation of vacation rentals; amending s. 509.032, F.S.; providing that local laws, ordinances, or regulations requiring vacation rental owners or operators to provide the local government with certain contact information are not prohibited or preempted to the state; providing an effective date.

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

Section 1. Subsection (7) of section 509.032, Florida Statutes, is amended to read:

509.032 Duties.-

- (7) PREEMPTION AUTHORITY.-
- (a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and

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CODING: Words stricken are deletions; words underlined are additions.

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- (b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.
- (c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation.
- (d) This subsection does not prohibit a local law, ordinance, or regulation from requiring a vacation rental owner or operator to designate and maintain at all times with the local government the name and contact information of a responsible party who is capable of responding to complaints and other immediate problems related to the vacation rental, including being available by telephone at a publicly listed telephone number.
 - Section 2. This act shall take effect July 1, 2023.