



112508

LEGISLATIVE ACTION

Senate

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House

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Senator Steube moved the following:

1           **Senate Substitute for Amendment (944410) (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Paragraph (b) of subsection (7) of section  
7 509.032, Florida Statutes, is amended, and new paragraphs (d)  
8 and (e) are added to that subsection, to read:

9           509.032 Duties.—

10           (7) PREEMPTION AUTHORITY.—

11           (b) 1. A local law, ordinance, or regulation adopted or



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12 amended after the effective date of this act may regulate  
13 activities that arise when a property is used as a vacation  
14 rental, provided such regulation applies uniformly to all  
15 residential properties without regard to whether the property is  
16 used as a vacation rental as defined in s. 509.242 or long-term  
17 rental subject to the provisions of part II of chapter 83 or  
18 whether a property owner chooses not to rent the property.  
19 However, a local law, ordinance, or regulation may not prohibit  
20 vacation rentals or regulate the duration or frequency of rental  
21 of vacation rentals.

22 2. This paragraph does not apply to:

23 a. Any local law, ordinance, or regulation adopted on or  
24 before June 1, 2011; or

25 b. Any local law, ordinance, or regulation that is being  
26 amended to be less restrictive as to prohibition or to duration  
27 or frequency of rental of vacation rentals, regardless of its  
28 adoption date.

29 (d) Properties owned, in whole or in part, by a  
30 servicemember as defined in s. 250.01 or by a disabled veteran  
31 with a service-connected disability rating of 30 percent or more  
32 according to the United States Department of Veterans Affairs,  
33 are exempt from any local law, ordinance or regulation that  
34 regulates the use of vacation rentals, including those adopted  
35 prior to June 1, 2011.

36 (e) A vacation rental owner shall submit to the local  
37 jurisdiction a copy of the vacation rental license required  
38 under chapter 509, a copy of the certificate of registration  
39 required under s. 212.18, and emergency contact information. The  
40 submission of such documents and information is for



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41 informational purposes only. The local jurisdiction may not  
42 assess a fee for the submission.

43 Section 2. Notwithstanding s. 509.032(7)(b), Florida  
44 Statutes, a municipality located on Boca Ciega Bay with a  
45 population of 1,500 or less may submit an ordinance adopted by  
46 the governing body of the municipality prior to 2009 for  
47 ratification of the electors at a referendum. If the ordinance  
48 is approved by at least two-thirds of the electors voting in the  
49 referendum, the effective date of the ordinance is the date of  
50 its initial adoption by the governing body of the municipality.

51 Section 3. If any provision of this act is determined  
52 unconstitutional or otherwise determined invalid by a court of  
53 law, all the rest and remainder of the act shall remain in full  
54 force and effect as the law of this state.

55 Section 4. This act shall take effect upon becoming a law.

57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete everything before the enacting clause  
60 and insert:

61 A bill to be entitled  
62 An act relating to vacation rentals; amending s.  
63 509.032, F.S.; revising applicability for a preemption  
64 of certain local laws, ordinances, or regulations  
65 regarding vacation rentals; requiring a vacation  
66 rental owner to submit specified documents and  
67 information to the local jurisdiction; prohibiting the  
68 local jurisdiction from assessing certain fees;  
69 specifying that local laws, ordinances, or regulations



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70            regarding vacation rentals may not prohibit  
71            servicemember- or certain disabled veteran-owned  
72            properties from being used as vacation rentals or  
73            regulate the frequency or duration of such rentals;  
74            authorizing certain ordinances of specified  
75            municipalities to be submitted for ratification by  
76            electors at a referendum; providing a retroactive  
77            effective date for such ordinances; providing a saving  
78            clause; providing an effective date.