

By Senator Thrasher

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A bill to be entitled
An act relating to the regulation of public lodging establishments and public food service establishments; amending s. 509.032, F.S.; deleting the restriction preventing local laws, ordinances, or regulations from regulating the use of vacation rentals based solely on their classification, use, or occupancy; 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 subsection ~~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 633.206.

~~(b) A local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification,~~

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30 ~~use, or occupancy. This paragraph does not apply to any local~~
31 ~~law, ordinance, or regulation adopted on or before June 1, 2011.~~

32 ~~(c) Paragraph (b) does not apply to any local law,~~
33 ~~ordinance, or regulation exclusively relating to property~~
34 ~~valuation as a criterion for vacation rental if the local law,~~
35 ~~ordinance, or regulation is required to be approved by the state~~
36 ~~land planning agency pursuant to an area of critical state~~
37 ~~concern designation.~~

38 Section 2. This act shall take effect July 1, 2014.