HB 4015 2015

A bill to be entitled

An act relating to public lodging establishments and public food service establishments; amending s.

509.032, F.S.; deleting provisions that preempt to the state the regulation of public lodging establishments and public food service establishments; amending s. 509.233, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

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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 633.206.

Page 1 of 2

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

HB 4015 2015

(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.
- Section 2. Subsection (1) of section 509.233, Florida Statutes, is amended to read:
- 509.233 Public food service establishment requirements; local exemption for dogs in designated outdoor portions.—
- (1) LOCAL EXEMPTION AUTHORIZED.—Notwithstanding s. 509.032(7), The governing body of a local government may establish, by ordinance, a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the division, in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.
  - Section 3. This act shall take effect July 1, 2015.