

THE FLORIDA SENATE
2018 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

CS/SB 566 — Unlawful Detention by a Transient Occupant

by Judiciary Committee and Senator Young

The bill amends s. 82.045, F.S., relating to the remedy for an unlawful detention by a transient occupant. Under current law, a transient occupant is someone who possesses real property lawfully for a brief length of time, without a lease or title to the property, such as a long-term houseguest. A transient occupant unlawfully detains the property after being directed to leave by the party entitled to possession.

The changes by the bill:

- Revise the factors used to determine whether an individual is considered a transient occupant;
- Establish the circumstances that cause a transient occupancy to terminate;
- Provide for the recovery of the belongings of a former transient occupant once the transient occupancy has terminated; and
- Authorize a former transient occupant to bring a civil action against the party entitled to possession who unreasonably withholds the belongings of the former transient occupant.

If approved by the Governor, these provisions take effect July 1, 2018.

Vote: Senate 34-0; House 116-0