

1 A bill to be entitled
 2 An act relating to listings for vacation rental
 3 property; amending s. 212.18, F.S.; requiring a person
 4 engaged in the leasing, renting, letting, or granting
 5 of licenses for the use of vacation rentals to display
 6 a valid certificate of registration number in each
 7 rental listing or advertisement; providing penalties
 8 for noncompliance; providing an effective date.

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

11
 12 Section 1. Paragraphs (b) and (c) of subsection (3) of
 13 section 212.18, Florida Statutes, are amended to read:

14 212.18 Administration of law; registration of dealers;
 15 rules.—

16 (3)

17 (b)1. ~~The department,~~ Upon receipt of such application,
 18 the department shall grant to the applicant a separate
 19 certificate of registration for each place of business, which
 20 may be canceled by the department or its designated assistants
 21 for any failure by the certificateholder to comply with this
 22 chapter. The certificate is not assignable and is valid only for
 23 the person, firm, copartnership, or corporation to which it is
 24 issued. The certificate must be placed in a conspicuous place in
 25 the business or businesses for which it is issued and must be
 26 displayed at all times. Except as provided in this subsection, a

27 | person may not engage in business as a dealer or in leasing,
28 | renting, ~~or~~ letting, ~~or~~ or granting licenses for the use of in
29 | living quarters or sleeping or housekeeping accommodations in
30 | hotels, apartment houses, roominghouses, tourist or trailer
31 | camps, or real property, or sell or receive anything of value by
32 | way of admissions, without a valid certificate. A person may not
33 | receive a license from any authority within the state to engage
34 | in any such business without a valid certificate. A person may
35 | not engage in the business of selling or leasing tangible
36 | personal property or services as a dealer; engage in leasing,
37 | renting, ~~or~~ letting, ~~or~~ or granting licenses for the use of in
38 | living quarters or sleeping or housekeeping accommodations in
39 | hotels, apartment houses, roominghouses, or tourist or trailer
40 | camps that are taxable under this chapter, or real property; or
41 | engage in the business of selling or receiving anything of value
42 | by way of admissions without a valid certificate.

43 | 2. A person engaged in leasing, renting, letting, or
44 | granting a license for the use of a vacation rental, as defined
45 | in s. 509.242, must display a valid certificate of registration
46 | number in each rental listing or advertisement for such
47 | property.

48 | (c)1.a. A person who engages in acts requiring a
49 | certificate of registration under this subsection and who fails
50 | or refuses to register commits a misdemeanor of the first
51 | degree, punishable as provided in s. 775.082 or s. 775.083. Such
52 | acts are subject to injunctive proceedings as provided by law. A

53 person who engages in acts requiring a certificate of
54 registration and who fails or refuses to register is also
55 subject to a \$100 initial registration fee in lieu of the \$5
56 registration fee required by paragraph (a). However, the
57 department may waive the increase in the registration fee if it
58 finds that the failure to register was due to reasonable cause
59 and not to willful negligence, willful neglect, or fraud.

60 b. A person who fails to display a valid certificate of
61 registration number as required under subparagraph (b)2. is
62 subject to a penalty of \$50 per day until the person is in
63 compliance. The penalty may be collected by a county that
64 administers a tax imposed under chapter 125 or chapter 212.

65 c. A person who fails to display a valid certificate of
66 registration number as required under subparagraph (b)2., and
67 who has previously been found to be in violation of that
68 subparagraph, is subject to a penalty of \$100 per day until the
69 person is in compliance. The penalty may be collected by a
70 county that administers a tax imposed under chapter 125 or
71 chapter 212.

72 2.a. A person who willfully fails to register after the
73 department provides notice of the duty to register as a dealer
74 commits a felony of the third degree, punishable as provided in
75 s. 775.082, s. 775.083, or s. 775.084.

76 b. The department shall provide written notice of the duty
77 to register to the person by personal service or by sending
78 notice by registered mail to the person's last known address.

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79 | The department may provide written notice by both methods
80 | described in this sub-subparagraph.

81 | Section 2. This act shall take effect July 1, 2016.