

By the Committees on Rules; Community Affairs; and Regulated Industries; and Senators Steube and Perry

595-04436-17

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1 A bill to be entitled
2 An act relating to vacation rentals; amending s.
3 509.032, F.S.; revising applicability for a preemption
4 of certain local laws, ordinances, or regulations
5 regarding vacation rentals; authorizing certain
6 ordinances to be submitted for ratification by
7 electors at a referendum; providing that, upon
8 approval by the electors, the effective date of the
9 ordinance is retroactive to the initial date of
10 adoption by the governing body of the municipality;
11 providing an effective date.

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

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15 Section 1. Paragraphs (b) and (c) of subsection (7) of
16 section 509.032, Florida Statutes, are amended to read:

17 509.032 Duties.—

18 (7) PREEMPTION AUTHORITY.—

19 (b) A local law, ordinance, or regulation may not prohibit
20 vacation rentals or regulate the duration or frequency of rental
21 of vacation rentals. This paragraph does not apply to any local
22 law, ordinance, or regulation adopted on or before June 1, 2011,
23 including when such law, ordinance, or regulation:

24 1. Is being amended to be less restrictive; or

25 2. Reduces local regulatory burdens on vacation rentals
26 owned, in whole or in part, by a person who is currently serving
27 on active duty or temporary duty in a branch of the United
28 States Armed Services or owned by a disabled veteran with a
29 service-connected evaluation of such disability of 30 percent or

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30 more, according to the United States Department of Veterans
31 Affairs.

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

38 Section 2. Notwithstanding s. 509.032(7)(b), Florida
39 Statutes, a municipality may submit an ordinance adopted by the
40 governing body of the municipality prior to the effective date
41 of chapter 2011-119, Laws of Florida, for ratification of the
42 electors at a referendum. If the ordinance is approved by at
43 least two-thirds of the electors voting in the referendum, the
44 effective date of the ordinance is the date of its initial
45 adoption by the governing body of the municipality.

46 Section 3. This act shall take effect upon becoming a law.