

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fine offered the following:

2

3 **Amendment to Amendment (067725) (with title amendment)**

4 Remove lines 321-692 and insert:

5 (d) Subsection (8) does not apply to any law, ordinance,  
6 or regulation adopted on or before June 1, 2024.

7 (8) LOCAL REGISTRATION OF VACATION RENTALS; SUSPENSION;  
8 REVOCATIONS; FINES.—Notwithstanding paragraph (7)(a), a local  
9 law, ordinance, or regulation may require the registration of  
10 vacation rentals with a local vacation rental registration  
11 program. Local governments may implement a vacation rental  
12 registration program pursuant to this subsection and may impose  
13 a fine for failure to register under the local program. Any such

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14 registration program implemented by a local government shall be  
15 administered by the tax collector.

16 (a) A local government or tax collector may charge a fee  
17 of no more than \$150 per unit for processing a registration  
18 application. A local law, ordinance, or regulation may require  
19 annual renewal of a registration and may charge a renewal fee of  
20 no more than \$50 per unit for processing of a registration  
21 renewal. However, if there is a change of ownership, the new  
22 owner may be required to submit a new application for  
23 registration. Subsequent to the registration of a vacation  
24 rental, a local government may charge a fee, not to exceed \$150,  
25 for persons authorized by s. 633.118 to inspect the vacation  
26 rental and enforce the laws and rules of the State Fire Marshall  
27 for issues pertaining to the uniform firesafety standards.

28 (b) As a condition of registration or renewal of a  
29 vacation rental, a local law, ordinance, or regulation  
30 establishing a local vacation rental registration program may  
31 require the operator of a vacation rental to do only the  
32 following:

33 1. Submit identifying information about the owner and the  
34 owner's operator, if applicable, and the subject vacation rental  
35 premises.

36 2. Provide proof of a license with the unique identifier  
37 issued by the division to operate as a vacation rental.

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38 3. Obtain all required tax registrations, receipts, or  
39 certificates issued by the Department of Revenue, a county, or a  
40 municipality.

41 4. Update required information on a continuing basis to  
42 ensure it is current.

43 5. Designate and maintain at all times a responsible party  
44 who is capable of responding to complaints or emergencies  
45 related to the vacation rental, including being available by  
46 telephone at a provided contact telephone number 24 hours a day,  
47 7 days a week, and receiving legal notice of violations on  
48 behalf of the operator. The responsible party has until 9 a.m.  
49 the next calendar day to respond to a complaint or emergency by  
50 telephone or otherwise.

51 6. State the maximum occupancy of the vacation rental  
52 based on the number of sleeping accommodations for persons  
53 staying overnight in the vacation rental.

54 7. Pay in full all recorded municipal or county code liens  
55 against the subject vacation rental premises.

56 (c) Within 15 business days after receiving an application  
57 for registration of a vacation rental, a local government must  
58 review the application for completeness and accept the  
59 registration of the vacation rental or issue a written notice of  
60 denial.

61 1. The vacation rental operator and the local government  
62 may agree to a reasonable request to extend the timeframes

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63 provided in this paragraph, particularly in the event of a force  
64 majeure or other extraordinary circumstance.

65 2. If a local government fails to accept or deny the  
66 registration within the timeframes provided in this paragraph,  
67 the application is deemed accepted.

68 (d) If a local government denies a registration of a  
69 vacation rental, the local government must give written notice  
70 to the applicant. Such notice may be provided by United States  
71 mail or electronically. The notice must specify with  
72 particularity the factual reasons for the denial and include a  
73 citation to the applicable portions of the ordinance, rule,  
74 statute, or other legal authority for the denial of the  
75 registration. A local government may not prohibit an applicant  
76 from reapplying if the applicant cures the identified  
77 deficiencies.

78 (e)1. Upon an accepted vacation rental registration, a  
79 local government shall immediately assign a unique registration  
80 number to the vacation rental unit and provide the registration  
81 number or other indicia of registration to the vacation rental  
82 operator in writing or electronically.

83 2. The vacation rental operator must provide the vacation  
84 rental registration number to the division.

85 (f) A local government may fine a vacation rental operator  
86 up to \$300 if he or she:

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87 1. Fails to continue to meet the registration requirements  
88 in paragraph (b); or

89 2. Is operating a vacation rental without registering with  
90 the local government as a vacation rental.

91 (g) A certified copy of an order imposing a fine may be  
92 recorded in the public records and thereafter constitutes a lien  
93 against the real property on which the violation exists. Upon  
94 petition to the circuit court, such order is enforceable in the  
95 same manner as a court judgment by the sheriffs of this state,  
96 including execution and levy against the personal property of  
97 the violator, but such order may not be deemed to be a court  
98 judgment except for enforcement purposes. A fine imposed  
99 pursuant to this subsection shall continue to accrue until the  
100 violator comes into compliance or until judgment is rendered in  
101 a suit filed pursuant to this section, whichever occurs first. A  
102 lien arising from a fine imposed pursuant to this subsection  
103 runs in favor of the local government, and the local government  
104 may execute a satisfaction or release of lien. Three months or  
105 more after the filing of any such lien that remains unpaid, the  
106 local government may foreclose on the lien against the real  
107 property on which the violation exists or sue to recover a money  
108 judgment for the amount of the lien, plus accrued interest. A  
109 lien created pursuant to this part may not be foreclosed on real  
110 property that is a homestead under s. 4, Art. X of the State  
111 Constitution. The money judgment provisions of this section do

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112 not apply to real property or personal property that is covered  
113 under s. 4(a), Art. X of the State Constitution.

114 (h)1. If a vacation rental owner is found by the code  
115 enforcement board or special magistrate to have materially  
116 violated a local law, ordinance, or regulation that does not  
117 solely apply to vacation rentals and the violation is directly  
118 related to the owner's vacation rental premises, the local  
119 government must issue a written notice of such violation.

120 2. If the owner is found to have materially violated a  
121 local law, ordinance, or regulation as described in subparagraph  
122 1., the code enforcement board or special magistrate must make a  
123 recommendation to the local government as to whether the owner's  
124 vacation rental registration should be suspended.

125 3. The code enforcement board or special magistrate must  
126 recommend the suspension of the owner's vacation rental  
127 registration if the owner is found to have:

128 a. One or more material violations on 5 separate days  
129 during a 60-day period;

130 b. One or more material violations on 5 separate days  
131 during a 30-day period; or

132 c. One or more material violations after two prior  
133 suspensions of an owner's vacation rental registration during a  
134 6-month period.

135 4. If the code enforcement board or special magistrate  
136 recommends suspension of an owner's vacation rental

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137 registration, a local government may suspend such registration  
138 for a period of:

139 a. Up to 15 days for one or more material violations on 5  
140 separate days during a 60-day period;

141 b. Up to 30 days for one or more material violations on 5  
142 separate days during a 30-day period; or

143 c. Up to 60 days for one or more material violations after  
144 two prior suspensions of an owner's vacation rental registration  
145 during a 6-month period.

146 5. A local government may not suspend an owner's vacation  
147 rental registration for violations of a local law, ordinance, or  
148 regulation which are not directly related to the vacation rental  
149 premises.

150 6. A local government must provide notice of the  
151 suspension of a vacation rental registration to the operator and  
152 the division within 5 days after the suspension. The notice must  
153 include the start date of the suspension, which must be at least  
154 21 days after the suspension notice is sent to the operator and  
155 the division. Effective January 1, 2026, a local government must  
156 use the vacation rental information system described in s.  
157 509.244 to provide notice of the suspension of a vacation rental  
158 registration to the division.

159 (i)1. A local government may revoke or refuse to renew a  
160 vacation rental registration of a specific vacation rental if:

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161 a. The code enforcement board or special magistrate has  
162 found that the vacation rental owner has habitually committed  
163 material violations pursuant to paragraph (h) and has imposed  
164 the strictest penalty thereunder;

165 b. There is an unsatisfied recorded municipal lien or  
166 county lien on the real property of the vacation rental;  
167 however, the local government must allow the vacation rental  
168 operator at least 60 days before the termination of a  
169 registration to satisfy the recorded municipal lien or county  
170 lien and must immediately and automatically reinstate or renew  
171 the registration upon satisfaction of such lien; or

172 c. The vacation rental premises and its owner are the  
173 subject of a final order or judgment by a court of competent  
174 jurisdiction lawfully directing the termination of the premises'  
175 use as a vacation rental.

176 2. A local government must provide notice of the  
177 termination of or refusal to renew a vacation rental  
178 registration to the operator and the division within 5 days  
179 after the termination or refusal to renew. The notice must  
180 include the date of termination or nonrenewal, which must be at  
181 least 21 days after the notice is sent to the operator and the  
182 division.

183 (j) A vacation rental owner may appeal a denial,  
184 suspension, or termination of a vacation rental registration, or  
185 a refusal to renew such registration, to the circuit court. An

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186 appeal must be filed within 30 days after the issuance of the  
187 denial, suspension, or termination of, or refusal to renew, the  
188 vacation rental registration. The court may assess and award  
189 reasonable attorney fees and costs and damages to a vacation  
190 rental owner.

191 (k) A vacation rental owner may apply for registration  
192 upon the sale of the vacation rental premises to a new owner or  
193 6 months after revocation of or refusal to renew the vacation  
194 rental registration pursuant to paragraph (i).

195 Section 4. Effective January 1, 2025, subsections (2) and  
196 (3) of section 509.241, Florida Statutes, are amended, and  
197 subsection (5) is added to that section, to read:

198 509.241 Licenses required; exceptions; division online  
199 accounts and transactions.—

200 (2) APPLICATION FOR LICENSE.—Each person who plans to open  
201 a public lodging establishment or a public food service  
202 establishment shall apply for and receive a license from the  
203 division before ~~prior to~~ the commencement of operation. A  
204 condominium association, as defined in s. 718.103, which does  
205 not own any units classified as vacation rentals or timeshare  
206 projects under s. 509.242(1)(c) or (g) is not required to apply  
207 for or receive a public lodging establishment license. Upon  
208 receiving an application for a vacation rental license, the  
209 division may grant a temporary license that authorizes the  
210 vacation rental to begin operation while the application is

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211 pending. The temporary license automatically expires upon final  
212 agency action regarding the license application.

213 (3) DISPLAY OF LICENSE.—~~A~~ Any license issued by the  
214 division must ~~shall~~ be conspicuously displayed to the public  
215 inside ~~in the office or lobby of the~~ licensed establishment.  
216 Public food service establishments that ~~which~~ offer catering  
217 services must ~~shall~~ display their license number on all  
218 advertising for catering services. The vacation rental's local  
219 registration number must, if applicable, be conspicuously  
220 displayed inside the vacation rental.

221 (5) UNIQUE IDENTIFIER.—The division shall assign a unique  
222 identifier on each vacation rental license which identifies each  
223 individual vacation rental dwelling or unit.

224 Section 5. Effective January 1, 2025, section 509.243,  
225 Florida Statutes, is created to read:

226 509.243 Advertising platforms.—

227 (1) An advertising platform shall require that a person  
228 who places an advertisement or a listing of a vacation rental  
229 which offers it for rent do all of the following:

230 (a) Include in the advertisement or listing the vacation  
231 rental license number with the associated unique identifier and,  
232 if applicable, the local registration number.

233 (b) Attest to the best of the person's knowledge that the  
234 vacation rental's license with the associated unique identifier  
235 and, if applicable, its local registration are current and valid

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236 and that all related information is accurately stated in the  
237 advertisement.

238 (2) An advertising platform shall display the vacation  
239 rental license number with the associated unique identifier,  
240 and, if applicable, the local registration number.

241 (3) Effective January 1, 2026, an advertising platform:

242 (a) Shall use the vacation rental information system  
243 described in s. 509.244 to verify that the vacation rental  
244 license number with the associated unique identifier, and, if  
245 applicable, the local registration number, are current, valid,  
246 and apply to the subject vacation rental before publishing an  
247 advertisement or a listing on its platform.

248 (b) May not advertise or list on its platform a vacation  
249 rental that fails to provide a valid vacation rental license  
250 number with the associated unique identifier, and, if  
251 applicable, the local registration number as indicated on the  
252 vacation rental information system described in s. 509.244.

253 (c) Shall remove from public view an advertisement or a  
254 listing from its online application, software, website, or  
255 system within 15 business days after notification that a  
256 vacation rental license, or if applicable, a local registration:

- 257 1. Has been suspended, revoked, or not renewed; or  
258 2. Fails to display a valid vacation rental license number  
259 with the associated unique identifier or, if applicable, a local  
260 registration number.

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261 (d) Shall notify the division within 15 days after any  
262 advertisement or listing on its online application, software,  
263 website, or system fails to display a valid vacation rental  
264 license number with associated unique identifier or, if  
265 applicable, a local registration number.

266 (e) Shall provide to the division on a quarterly basis, in  
267 a manner compatible with the vacation rental information system  
268 described in s. 509.244, a list of all vacation rentals located  
269 in this state which are advertised on its platform. The list  
270 must include the following information:

271 1. The uniform resource locator for the Internet address  
272 of the vacation rental advertisement;

273 2. The physical address of the vacation rental, including  
274 any unit designation;

275 3. The vacation rental license number with the associated  
276 unique identifier, and, if applicable, the local registration  
277 number;

278 4. The applicable Florida tax registration number or local  
279 tourist development tax account number under which taxes related  
280 to the rental will be remitted as provided in s. 212.03(2);

281 5. The name of the vacation rental owner or operator;

282 6. Listed by the calendar date, the individual periods  
283 that the vacation rental is rented; and

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284 7. The itemized amounts collected or processed by the  
285 advertising platform for the rental, taxes, and all other  
286 charges.

287  
288 Upon request, the division shall share any report and underlying  
289 records provided by an advertising platform pursuant to this  
290 paragraph with the Department of Revenue, local taxing  
291 authorities, and local governments. These records may be used  
292 for auditing and enforcement purposes.

293 (4) If a guest uses a payment system on or through an  
294 advertising platform to pay for the rental of a vacation rental  
295 located in this state, the advertising platform must collect and  
296 remit all taxes due under ss. 125.0104, 125.0108, 205.044,  
297 212.03, 212.0305, and 212.055 related to the rental as provided  
298 in s. 212.03(2) (b).

299 (5) If the division has probable cause to believe that a  
300 person not licensed by the division has violated this chapter or  
301 any rule adopted pursuant thereto, the division may issue and  
302 deliver to such person a notice to cease and desist from the  
303 violation. The issuance of a notice to cease and desist does not  
304 constitute agency action for which a hearing under s. 120.569 or  
305 s. 120.57 may be sought. For the purpose of enforcing a cease  
306 and desist notice, the division may file a proceeding in the  
307 name of the state seeking the issuance of an injunction or a  
308 writ of mandamus against any person who violates any provision

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309 of the notice. If the division is required to seek enforcement  
310 of the notice for a penalty pursuant to s. 120.69, it is  
311 entitled to collect attorney fees and costs, together with any  
312 cost of collection.

313 (6) The division may fine an advertising platform an  
314 amount not to exceed \$1,000 per offense for each violation of  
315 this section or of division rule. For the purposes of this  
316 subsection, the division may regard as a separate offense each  
317 day or portion of a day in which an advertising platform is  
318 operated in violation of this section or rules of the division.  
319 The division shall issue to the advertising platform a written  
320 notice of any violation and provide it 15 days to cure the  
321 violation before commencing any legal proceeding under  
322 subsection (5).

323 (7) An advertising platform shall adopt an  
324 antidiscrimination policy to help prevent discrimination by its  
325 users and shall inform all users that it is illegal to refuse  
326 accommodation to an individual based on race, creed, color, sex,  
327 pregnancy, physical disability, or national origin, as provided  
328 in s. 509.092.

329 (8) This section does not create a private cause of action  
330 against advertising platforms. An advertising platform may not  
331 be held liable for any action that it takes voluntarily and in  
332 good faith in relation to its users in compliance with this  
333 chapter or the advertising platform's terms of service.

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334 Section 6. Section 509.244, Florida Statutes, is created  
335 to read:

336 509.244 Vacation rental information system.—

337 (1) As used in this section, the term "application program  
338 interface" means a predefined protocol for reading or writing  
339 data across a network using a file system or a database.

340 (2) By July 1, 2025, the division shall create and  
341 maintain a vacation rental information system readily accessible  
342 through an application program interface. At a minimum, the  
343 system must do all of the following:

344 (a) Facilitate prompt compliance with this chapter by a  
345 licensee or an advertising platform.

346 (b) Allow advertising platforms to search by vacation  
347 rental license number with the associated unique identifier,  
348 applicable local registration number, and a listing status field  
349 that indicates whether the premises is compliant with applicable  
350 license and registration requirements to allow a platform to  
351 determine whether it may advertise the vacation rental.

352 (c) Allow local government users to notify the division of  
353 a revocation or failure to renew, or the period of suspension  
354 of, a local registration, if applicable.

355 (d) Provide a system interface to allow local governments  
356 and advertising platforms to verify the status of a vacation  
357 rental license and a local registration of a vacation rental, if  
358 applicable.

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359 (e) Allow a registered user to subscribe to receive  
360 automated notifications of changes to the license and  
361 registration status of a vacation rental, including any license  
362 revocation, local registration revocation, period of suspension  
363 imposed by the division or local government, or failure to renew  
364 a license or local registration.

365 Section 7. Subsection (11) is added to section 509.261,  
366 Florida Statutes, to read:

367 509.261 Revocation or suspension of licenses; fines;  
368 procedure.—

369 (11) (a) The division may revoke, refuse to issue or renew,  
370 or suspend for a period of not more than 30 days a license of a  
371 vacation rental for any of the following reasons:

372 1. Operation of the subject premises violates the terms of  
373 an applicable lease or property restriction, including any  
374 property restriction adopted pursuant to chapter 718, chapter  
375 719, or chapter 720, as determined by a final order of a court  
376 of competent jurisdiction or a written decision by an arbitrator  
377 authorized to arbitrate a dispute relating to the subject  
378 premises and a lease or property restriction.

379 2. The vacation rental premises and its owner are the  
380 subject of a final order or judgment lawfully directing the  
381 termination of the premises' use as a vacation rental.

382 (b) The division must specify the license number with the  
383 associated unique identifier of the vacation rental dwelling or

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384 unit which has been revoked, not renewed, or suspended and input  
385 such status in the vacation rental information system described  
386 in s. 509.244.

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**T I T L E   A M E N D M E N T**

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Remove lines 1003-1066 and insert:

391

providing construction; amending s.509.241, F.S.;

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authorizing the division to issue temporary licenses

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upon receipt of vacation rental license applications

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while such applications are pending; providing for

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expiration of such licenses; requiring that any

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license issued by the division be conspicuously

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displayed to the public inside the licensed

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establishment; requiring that a vacation rental's

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registration number, if applicable, be conspicuously

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displayed inside the vacation rental; requiring the

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division to assign a unique identifier on each

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vacation rental license which identifies each

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individual vacation rental dwelling or unit; creating

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s. 509.243, F.S.; requiring advertising platforms to

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require that persons placing advertisements or

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listings for vacation rentals include certain

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information in the advertisements or listings and

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attest to certain information; requiring advertising

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409 platforms to display certain information; requiring,  
410 as of a specified date, advertising platforms to  
411 verify certain information before publishing an  
412 advertisement or listing on their platforms, prohibit  
413 and remove from public view an advertisement or a  
414 listing under certain circumstances, and make certain  
415 notifications and provide certain information to the  
416 division; requiring the division, upon request, to  
417 share certain reports and records with the Department  
418 of Revenue, local tax authorities, and local  
419 governments; providing that such records may be used  
420 for auditing and enforcement purposes; requiring  
421 advertising platforms to collect and remit specified  
422 taxes for certain transactions; authorizing the  
423 division to issue and deliver a notice to cease and  
424 desist for certain violations; providing that such  
425 notice does not constitute agency action for which  
426 certain hearings may be sought; authorizing the  
427 division to issue cease and desist notices in certain  
428 circumstances; providing that issuance of such notice  
429 does not constitute an agency action; authorizing the  
430 division to file certain proceedings for the purpose  
431 of enforcing a cease and desist notice; authorizing  
432 the division to collect attorney fees and costs under  
433 certain circumstances; authorizing the division to

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434 impose a fine on advertising platforms for certain  
435 violations; requiring the division to issue written  
436 notice of violations to advertising platforms before  
437 commencing certain legal proceedings; requiring  
438 advertising platforms to adopt an antidiscrimination  
439 policy and to inform their users of the policy's  
440 provisions; providing construction; creating s.  
441 509.244, F.S.; defining the term "application program  
442 interface"; requiring the division, by a specified  
443 date, to create and maintain a certain vacation rental  
444 information system; specifying requirements for the  
445 system; amending s. 509.261, F.S.; authorizing the  
446 division to revoke, refuse to issue or renew, or  
447 suspend vacation rental licenses under certain  
448 circumstances; requiring the division to specify the  
449 number of the license number of the vacation rental  
450 dwelling or unit which has been revoked, not renewed,  
451 or suspended; requiring the division to input such  
452 status in the vacation rental information system;  
453 amending ss. 159.27, 212.08, 316.1955,

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