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CS/HB 1417

2023 Legislature

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 2 An act relating to residential tenancies; creating s.  
 3 83.425, F.S.; preempting the regulation of residential  
 4 tenancies and the landlord-tenant relationship to the  
 5 state; specifying that the act supersedes certain  
 6 local regulations; amending ss. 83.57 and 83.575,  
 7 F.S.; revising how much notice is required to  
 8 terminate certain tenancies; providing an effective  
 9 date.

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

12  
 13 Section 1. Section 83.425, Florida Statutes, is created to  
 14 read:

15 83.425 Preemption.—The regulation of residential  
 16 tenancies, the landlord-tenant relationship, and all other  
 17 matters covered under this part are preempted to the state. This  
 18 section supersedes any local government regulations on matters  
 19 covered under this part, including, but not limited to, the  
 20 screening process used by a landlord in approving tenancies;  
 21 security deposits; rental agreement applications and fees  
 22 associated with such applications; terms and conditions of  
 23 rental agreements; the rights and responsibilities of the  
 24 landlord and tenant; disclosures concerning the premises, the  
 25 dwelling unit, the rental agreement, or the rights and

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26 | responsibilities of the landlord and tenant; fees charged by the  
 27 | landlord; or notice requirements.

28 | Section 2. Subsection (3) of section 83.57, Florida  
 29 | Statutes, is amended to read:

30 | 83.57 Termination of tenancy without specific term.—A  
 31 | tenancy without a specific duration, as defined in s. 83.46(2)  
 32 | or (3), may be terminated by either party giving written notice  
 33 | in the manner provided in s. 83.56(4), as follows:

34 | (3) When the tenancy is from month to month, by giving not  
 35 | less than 30 ~~15~~ days' notice prior to the end of any monthly  
 36 | period; and

37 | Section 3. Subsection (1) of section 83.575, Florida  
 38 | Statutes, is amended to read:

39 | 83.575 Termination of tenancy with specific duration.—

40 | (1) A rental agreement with a specific duration may  
 41 | contain a provision requiring the tenant to notify the landlord  
 42 | within a specified period before vacating the premises at the  
 43 | end of the rental agreement, if such provision requires the  
 44 | landlord to notify the tenant within such notice period if the  
 45 | rental agreement will not be renewed; however, a rental  
 46 | agreement may not require less than 30 days' notice or more than  
 47 | 60 days' notice from either the tenant or the landlord.

48 | Section 4. This act shall take effect July 1, 2023.