

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CS/CS/HB 411 — Florida Mobile Home Act

by Smarter Government Council; Judicial Oversight Committee; and Rep. Kyle and others (CS/CS/SB 442 by Comprehensive Planning, Local & Military Affairs Committee; Regulated Industries Committee; and Senators Latvala, Brown-Waite, Pruitt, Cowin, Posey, Carlton, Saunders, Campbell, Lee, Wasserman Schultz, Sullivan, Dyer, Burt, Geller, Sebesta, Miller, Mitchell, Constantine, Bronson, Crist, Dawson, King, and Sanderson)

The bill repeals the current, unconstitutional provisions for compensation for eviction for change in land use and creates a new system of compensation. The Florida Mobile Home Relocation Corporation is created to administer this compensation system. The corporation is to be operated by a six-member board of directors. The board members are to be appointed by the Secretary of the Department of Business and Professional Regulation, with three selected from nominees from the largest nonprofit association representing mobile home owners in this state and three selected from nominees from the largest nonprofit association representing the manufactured housing industry in this state. Board members may be reimbursed for actual and necessary expenses, but may not be otherwise compensated. The corporation can borrow from private sources to make relocation compensation payments.

A mobile home owner evicted for a change in land use is entitled to the lesser of the amount of actual moving expenses of relocating the mobile home to a new location within a 50-mile radius of the vacated park, or \$5,000 for a single-section mobile home or \$10,000 for a multi-section mobile home. A mobile home owner is not entitled to this compensation if; the park owner moves the mobile home to another space in the park or another park at the park owner's expense; the mobile home owner is vacating the park and has informed the park owner before notice of the change in land use is given; or the mobile home owner abandons the mobile home. If the mobile home owner abandons the mobile home, he or she is entitled to an amount equal to one-fourth of the maximum allowable moving expense if he or she gives to the park owner the current title to the mobile home duly endorsed by the mobile home owner and valid releases of all liens.

To receive compensation, a mobile home owner must apply to the Florida Mobile Home Relocation Corporation, providing a copy of the eviction notice and the contract with the moving company. The corporation must approve payment within 15 days of receipt of this information or payment is deemed automatically approved.

The corporation is not liable to any person for recovery if funds are insufficient to pay the amount claimed. In such an event, the corporation is to keep records of the date and time of approval of claims and to pay these claims as money becomes available.

The bill prohibits a park owner from increasing mobile home park lot rental within 90 days before giving a notice of a change in land use. Also, when a mobile home park owner increases rent based on the rent in comparable mobile home parks, the owner must provide a written disclosure of the address, lot rental amount, and other relevant factors relied upon by the park owner, such as facilities, services, and amenities.

The Division of Florida Land Sales, Condominiums, and Mobile Homes is required to maintain copies of each prospectus and all amendments to each prospectus that are considered adequate by the division. The division is to provide copies within ten days after a written request.

If approved by the Governor, these provisions take effect July 1, 2001.

Vote: Senate 39-0; House 116-0

HB 1265 — Florida Mobile Home Relocation Trust Fund

by Rep. Dockery (CS/SB 1920 by Regulated Industries Committee and Senator Crist)

The bill creates the Florida Mobile Home Relocation Trust Fund within the Department of Business and Professional Regulation to be used to fund the administration and operation of the Florida Mobile Home Relocation Corporation. The trust fund terminates July 1, 2005, unless terminated sooner, or unless the Legislature reviews it before its scheduled termination and preserves it.

If a mobile home owner residing on a rented lot in a mobile home park is evicted and required to move due to a change in use of the land comprising the mobile home park, the park owner must pay into the Trust Fund \$2,000 for each single-section mobile home and \$2,500 for each multi-section mobile home which is required to be moved and for which the mobile home owner has submitted an application for payment of moving expenses. The bill also appropriates to the trust fund \$500,000 from the General Revenue Fund.

The bill takes effect on the effective date of CS/CS/SB 442 or similar legislation (July 1, 2001), if passed by a three-fifths vote of the membership of each house of the Legislature.

Vote: Senate 39-0; House 120-0

PARI-MUTUEL WAGERING AND ALCOHOLIC BEVERAGES

CS/SB 202 — Malt Beverages/Container Size

by Agriculture & Consumer Services Committee and Senators Lee and Latvala

Currently, malt beverages can be sold in individual containers of four sizes only, 8, 12, 16, and 32 ounces. The bill allows individual containers of any size up to and including 32 ounces. The bill also applies the malt beverage container size law to cider, allowing individual containers of up to 32 ounces, and allowing sales in bulk, in kegs or barrels, and in any individual container of one gallon or more.

If approved by the Governor, these provisions take effect October 1, 2001.

Vote: Senate 37-2; House 111-4

