

CS/HB 17

2017

A bill to be entitled
An act relating to local regulation preemption;
creating s. 163.20, F.S.; providing definitions;
prohibiting certain local governments from imposing or
adopting certain regulations on businesses,
professions, and occupations after a certain date;
preempting the regulation of businesses, professions,
and occupations to the state; providing exceptions to
such preemption; providing an effective date.

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

Section 1. Section 163.20, Florida Statutes, is created to
read:

163.20 Regulation of businesses, professions, and
occupations preempted to the state.-

(1) DEFINITIONS.-As used in this section:

(a) "Local government" means a county, municipality,
special district, school district, or political subdivision of
the state.

(b) "Regulation" means a rule or regulation, license,
permit, or requirement, along with any associated fee.

(2) LOCAL GOVERNMENT REGULATION.-On or after July 1, 2017,
a local government may not adopt or impose a new regulation on a
business, profession, or occupation unless the regulation is

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expressly authorized by general law.

(3) PREEMPTION OF REGULATION TO THE STATE.-Notwithstanding any law to the contrary, this section expressly preempts the regulation of businesses, professions, and occupations to the state and supersedes any local government regulation of businesses, professions, and occupations with the exception of the following:

(a) A regulation adopted prior to July 1, 2017, without general law authority. Any such regulation expires on July 1, 2020.

(b) A regulation expressly authorized by general law.

(4) EXISTING REGULATION LIMIT.-A local government with a local regulation concerning a business, profession, or occupation that is retained pursuant to paragraph (3) (a) may not impose additional regulations on that business, profession, or occupation or modify such regulation except to repeal or reduce the regulation.

(5) REGULATIONS NOT AUTHORIZED.-Any local regulation of a business, profession, or occupation that is not authorized under this section or expressly authorized by general law does not apply and may not be enforced.

Section 2. This act shall take effect July 1, 2017.