

PUBLICATION

Important Changes in Florida Hotel Laws

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The laws in Florida concerning how to deal with undesirable and non-paying public lodging guests were recently updated and clarified. Prior to the enactment of Senate Bill 606, establishment managers and operators were often left uncertain as to their legal rights to deal with problematic guests. The consensus amongst legal practitioners was that any guests who have remained at a property for more than 30 days should be evicted as would a residential tenant or otherwise expose the establishment to a claim for wrongful eviction. A new law passed in Florida seeks to clarify the legal status of public lodging guests, introduces specific procedures to be followed when addressing guests no longer welcome, and strengthens the obligations of local law enforcement to intervene.

Approved by the Governor on June 2, 2025, Florida Senate Bill 606 introduces several significant changes to Fla. Stat. § 509.013 and § 509.141.

First, the bill clarifies the definitions of and the distinctions between "transient occupancy" and "nontransient occupancy." The new law removes the requirement that occupancy classifications depend on the *intent of the parties* regarding whether a stay is temporary or not. Now, whether a guest is transient or nontransient is no longer dependent on the ambiguity of the "intent of the parties." Under the new law, the status of a guest will be based on the nature of the stay itself and may be presumed transient at any hotel, motel, vacation rental, bread and breakfast inn, or timeshare unit.

Second, the bill streamlines the process for guest removal. Public lodging operators should ensure they specify at check-in a checkout time *in writing*. Previously, removal of a guest was only permitted when a guest failed to pay rent or leave at an *agreed-upon* checkout time, leaving open the possibility that a guest disputed the length of the stay. Under the new version of the law, a guest who fails to depart by a written end date, and after notice, is guilty of a second-degree misdemeanor, and law enforcement must remove the guest from the property. Notice that a guest must leave is considered effective upon delivery, whether provided in person, by phone call, text message, email, or by delivering the notice to the guest's room. Notably, the new law also eliminates the prior requirement that unruly behavior must be witnessed by an officer before enforcement. Now, when an operator requests the removal of any unwelcome guest who remains on the premises after being asked to depart, a responding police officer has the duty to remove the guest, even if the officer did not personally witness the misconduct or criminal activity.

Public lodging operators in Florida are advised to proactively update their internal policies, guest-facing signage, and billing systems to ensure compliance with the requirements outlined in SB 606. As stated above, these updates should include clearly defining check-in and check-out dates and times at the outset of the transaction and obtaining guest acknowledgment; outlining the consequences of violating the terms of stay, including potential removal from the premises; itemizing all actual and potential charges on guest bills and receipts to ensure full transparency; and providing notice of termination of guest status through at least one of the following methods: telephone call, text message, email, or written notice delivered to the guest's room. Our team is closely tracking Florida Senate Bill 606 and related legislative activity this session. We'll continue to share timely updates as developments unfold.

If you have any questions about the bill's impact, please reach out to [Jason Bloom](#), [Royce Badger](#), or any member of Baker Donelson's [Hospitality Group](#).

Lara Weiss, a summer associate at Baker Donelson, contributed to this article.