A bill to be entitled

An act relating to tenant safety; providing a short title; amending s. 83.53, F.S.; revising what constitutes reasonable notice for repairs of dwelling units; amending s. 509.211, F.S.; requiring the operator of certain apartments to provide certain information related to background screenings and issuance of keys; requiring the operator an apartment to maintain, and make accessible to certain persons and during certain discovery, a log that accounts for certain information for a specified time period; providing effective dates.

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

Section 1. This act may be cited as "Miya's Law."

Section 2. Subsection (2) of section 83.53, Florida Statutes, is amended to read:

83.53 Landlord's access to dwelling unit.—

(2) The landlord may enter the dwelling unit at any time for the protection or preservation of the premises. The landlord may enter the dwelling unit upon reasonable notice to the tenant and at a reasonable time for the purpose of repair of the premises. "Reasonable notice" for the purpose of repair is notice given at least 24 ~~12~~ hours prior to the entry, and

reasonable time for the purpose of repair shall be between the hours of 7:30 a.m. and 8:00 p.m. The landlord may enter the dwelling unit when necessary for the further purposes set forth in subsection (1) under any of the following circumstances:

(a) With the consent of the tenant;

(b) In case of emergency;

(c) When the tenant unreasonably withholds consent; or

(d) If the tenant is absent from the premises for a period of time equal to one-half the time for periodic rental payments. If the rent is current and the tenant notifies the landlord of an intended absence, then the landlord may enter only with the consent of the tenant or for the protection or preservation of the premises.

Section 3. Effective January 1, 2023, subsection (5) is added to section 509.211, Florida Statutes, to read:

509.211 Safety regulations.—

(5) An operator of a nontransient apartment or transient apartment building or complex consisting of at least 15 individual units must:

(a) Upon request of the tenant or prospective tenant, provide the tenant or prospective tenant with information in writing indicating whether the operator requires any current employees or contractors to undergo a background screening and, if so, such notification must also state all of the following:

1. The positions of those required to undergo background

screenings.

2. The type of background screening or criminal background screening the operator performed, and whether such background screenings include a search of the National Sex Offender Registry or other similar databases.

3. That the operator has discretion to make employment decisions, regardless of a current employee's or contractor's background screening results.

4. That state law does not disqualify any current employee or contractor from working at a nontransient apartment or transient apartment based on background screening results.

(b) Upon request of the tenant, provide a list to the tenant of every current employee or contractor who has access to a master key or fob or access to individual unit keys, which is updated as needed or at least quarterly, and such list must be posted in a conspicuous place on the grounds of the apartment building or complex or on the website of the apartment building or complex.

(c) Maintain a log that accounts for all employees or contractors that have access to a master key or fob or access to individual unit keys.

(d) Make the log in paragraph (c) accessible upon request:

1. To a law enforcement officer as needed in connection with the performance of the officer's official duties.

2. To a tenant.

3. During discovery in a civil action related to an action involving a tenant or the apartment building or complex.

(e) Maintain the log in paragraph (c) for at least 1 year.

Upon request, during the division's annual inspection of the premises, a licensee must provide the division with proof of compliance with this subsection.

Section 4. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2022.