

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED

Committee on Community Affairs

CS/SB 898 — Lodging Standards

by Community Affairs Committee and Senators Stewart, Perry, Taddeo, Book, Berman, Bracy, Polsky, Cruz, Jones, Garcia, Powell, and Torres

The bill, designated as “Miya’s Law,” is an effort to strengthen residential tenant safety, and is named after Miya Marcano, a young woman who was tragically killed in her apartment in 2021. The bill makes changes to Florida’s Residential Landlord and Tenant Act as well as public lodging establishment laws in an effort to provide safety and security to apartment tenants.

The bill directs landlords or licensees of transient and nontransient apartments to require that all employees undergo a background screening performed by a consumer reporting agency done in accordance with the federal Fair Credit Reporting Act as a condition of employment. A person may be disqualified from employment based on the background screening if the person has been found guilty or plead no contest to certain offenses including those involving violence and disregard for safety.

Effective January 1, 2023, apartments must maintain a log accounting for the issuance and return of all keys for each dwelling unit, and establish policies for the issuance and return of unit keys, as well as storage and access to unissued keys. An apartment’s key logs and employee background screening files are subject to the Department of Business and Professional Regulation’s annual inspection of apartments.

The bill changes from 12 hours to 24 hours the “reasonable notice” that a landlord must give a tenant for entry of a unit for the purpose of repair for all tenancies.

Additionally, the bill provides that an operator of a public lodging establishment may not offer an hourly rate for an accommodation. However, an operator may charge an hourly rate for late checkout fees.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 34-0; House 120-0