



228138

CHAMBER ACTION

Senate

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House

The Committee on Judiciary (Fasano) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (4) is added to section 83.53, Florida Statutes, to read:

83.53 Landlord's access to dwelling unit.--

(4) The landlord shall maintain a written record, subject to inspection by a tenant upon the tenant's request, that includes:

(a) The names of all employees of the landlord who have access to the dwelling unit.

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15 (b) The dates and times that any employee of the landlord
16 has entered the dwelling unit pursuant to this section.
17 For the purposes of this subsection, the term "employee" means a
18 person who receives compensation from, and is under the
19 supervision and control of, a landlord who regularly deducts the
20 F.I.C.A. and withholding tax and provides workers' compensation,
21 all as prescribed by law.

22 Section 2. Section 83.531, Florida Statutes, is created to
23 read:

24 83.531 Criminal history check of landlord's employees;
25 access to dwelling units; penalties.-

26 (1) For the purposes of this section, the term "employee"
27 means a person who receives compensation from, and is under the
28 supervision and control of, a landlord who regularly deducts the
29 F.I.C.A. and withholding tax and provides workers' compensation,
30 all as prescribed by law.

31 (2) A landlord shall obtain from the Department of Law
32 Enforcement a statewide criminal history record check concerning
33 any employee who has access to the interior portion of a
34 dwelling unit that is under a rental agreement.

35 (3) A landlord shall not permit an employee of the
36 landlord who has been convicted of, or pled guilty or nolo
37 contendere to, regardless of adjudication, any felony offense in
38 this state to have access to the interior portion of a dwelling
39 unit that is under a rental agreement unless:

40 (a) The tenant has consented in writing to such access; or

41 (b) The landlord supervises the employee during such
42 access.



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43 (4) Any landlord who violates this section commits a
 44 misdemeanor of the second degree, punishable as provided in s.
 45 775.082 or s. 775.083.

46 Section 3. This act shall take effect July 1, 2008.

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 49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete everything before the enacting clause
 52 and insert:

53 A bill to be entitled
 54 An act relating to access to dwelling units; amending s.
 55 83.53, F.S.; providing recordkeeping requirements for
 56 landlords relating to access to dwelling units by
 57 employees; defining the term "employee"; creating s.
 58 83.531, F.S.; defining the term "employee"; requiring
 59 landlords to obtain criminal history information on
 60 certain employees; prohibiting landlords from allowing
 61 certain employees access to dwelling units; providing
 62 exceptions; providing penalties; providing an effective
 63 date.