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LEGISLATIVE ACTION

Senate

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House

Floor: 1a/AD/2R

02/26/2020 04:50 PM

Senator Diaz moved the following:

Senate Amendment to Amendment (258916)

Delete lines 88 - 153

and insert:

person's disability or any medical records relating to the disability. However, a person may disclose such information or medical records to the housing provider at his or her discretion.

(b) A housing provider may develop and make available to persons a routine method for receiving and processing reasonable accommodation requests for emotional support animals; however, a



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12 housing provider may not require the use of a specific form or
13 notarized statement, or deny a request solely because a person
14 did not follow the housing provider's routine method.

15 (c) An emotional support animal registration of any kind,
16 including, but not limited to, an identification card, patch,
17 certificate, or similar registration obtained from the Internet
18 is not, by itself, sufficient information to reliably establish
19 that a person has a disability or a disability-related need for
20 an emotional support animal.

21 (4) LIABILITY.—A person with a disability or a disability-
22 related need is liable for any damage done to the premises or to
23 another person on the premises by his or her emotional support
24 animal.

25 (5) APPLICABILITY.—This section does not apply to a service
26 animal as defined in s. 413.08.

27 Section 2. Paragraph (b) of subsection (6) of section
28 413.08, Florida Statutes, is amended to read:

29 413.08 Rights and responsibilities of an individual with a
30 disability; use of a service animal; prohibited discrimination
31 in public employment, public accommodations, and housing
32 accommodations; penalties.—

33 (6) An individual with a disability is entitled to rent,
34 lease, or purchase, as other members of the general public, any
35 housing accommodations offered for rent, lease, or other
36 compensation in this state, subject to the conditions and
37 limitations established by law and applicable alike to all
38 persons.

39 (b) An individual with a disability who has a service
40 animal or who obtains a service animal is entitled to full and



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41 equal access to all housing accommodations provided for in this
42 section, and such individual ~~a person~~ may not be required to pay
43 extra compensation for such animal. However, such individual ~~a~~
44 ~~person~~ is liable for any damage done to the premises or to
45 another individual ~~person~~ on the premises by the animal. A
46 housing accommodation may request proof of compliance with
47 vaccination requirements. This paragraph does not apply to an
48 emotional support animal as defined in s. 760.27.

49 Section 3. Paragraph (e) of subsection (1) of section
50 419.001, Florida Statutes, is amended to read:

51 419.001 Site selection of community residential homes.—

52 (1) For the purposes of this section, the term:

53 (e) "Resident" means any of the following: a frail elder as
54 defined in s. 429.65; a person who has a disability ~~handicap~~ as
55 defined in s. 760.22(3)(a) ~~s. 760.22(7)(a)~~; a person who has a
56 developmental disability as defined in s. 393.063; a
57 nondangerous person who has a mental illness as defined in s.
58 394.455; or a child who is found to be dependent as defined in
59 s. 39.01 or s. 984.03, or a child in need of services as defined
60 in s. 984.03 or s. 985.03.

61 Section 4. Paragraph (pp) is added to subsection (1) of
62 section 456.072, Florida Statutes, to read:

63 456.072 Grounds for discipline; penalties; enforcement.—

64 (1) The following acts shall constitute grounds for which
65 the disciplinary actions specified in subsection (2) may be
66 taken:

67 (pp) Providing information, including written
68 documentation, indicating that a person has a disability or
69 supporting a person's need for an emotional support animal under



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s. 760.27 without personal knowledge of the person's