

1 A bill to be entitled
 2 An act relating to tenant safety; providing a short
 3 title; amending s. 83.53, F.S.; revising what
 4 constitutes reasonable notice for repairs of dwelling
 5 units; amending s. 509.211, F.S.; requiring the
 6 operator of certain apartments to, upon request,
 7 provide a tenant or prospective tenant with certain
 8 background screening information; requiring such
 9 operator to, upon request, provide a tenant with a
 10 list, which must be updated at least quarterly, of
 11 certain employees or contractors and post such list
 12 conspicuously on the grounds of the apartment or the
 13 apartment's website; requiring such operator to
 14 maintain, and make accessible to certain persons and
 15 during certain discovery, a list that accounts for
 16 certain information for a specified time period;
 17 requiring a licensee to, upon request, provide the
 18 Division of Hotels and Restaurants with certain
 19 information during its annual inspection; providing
 20 effective dates.

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

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 24 Section 1. This act may be cited as "Miya's Law."
 25 Section 2. Subsection (2) of section 83.53, Florida

26 Statutes, is amended to read:

27 83.53 Landlord's access to dwelling unit.—

28 (2) The landlord may enter the dwelling unit at any time
 29 for the protection or preservation of the premises. The landlord
 30 may enter the dwelling unit upon reasonable notice to the tenant
 31 and at a reasonable time for the purpose of repair of the
 32 premises. "Reasonable notice" for the purpose of repair is
 33 notice given at least 24 ~~12~~ hours prior to the entry, and
 34 reasonable time for the purpose of repair shall be between the
 35 hours of 7:30 a.m. and 8:00 p.m. The landlord may enter the
 36 dwelling unit when necessary for the further purposes set forth
 37 in subsection (1) under any of the following circumstances:

- 38 (a) With the consent of the tenant;
- 39 (b) In case of emergency;
- 40 (c) When the tenant unreasonably withholds consent; or
- 41 (d) If the tenant is absent from the premises for a period
 42 of time equal to one-half the time for periodic rental payments.
 43 If the rent is current and the tenant notifies the landlord of
 44 an intended absence, then the landlord may enter only with the
 45 consent of the tenant or for the protection or preservation of
 46 the premises.

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

49 509.211 Safety regulations.—

50 (5) An operator of a nontransient apartment or transient

51 apartment building or complex that consists of at least 15
52 individual units must:

53 (a) Upon the request of a tenant or prospective tenant,
54 provide such individual with information in writing indicating
55 whether the operator requires current employees or contractors
56 to undergo a background screening and, if so, the operator must
57 include all of the following information in writing:

58 1. The positions of the current employees or contractors
59 required to undergo a background screening.

60 2. The type of background screening or criminal background
61 screening the operator performed and whether such background
62 screenings included a search of the National Sex Offender Public
63 Website or other similar databases.

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

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

71 (b) Upon the request of a tenant, provide such individual
72 with a list, which must be updated as needed but at least
73 quarterly, of every current employee or contractor who has
74 access to a master key or fob or access to individual unit keys
75 or fobs, and such list must be posted in a conspicuous place on

76 the grounds of the apartment building or complex or on the
 77 website of the apartment building or complex.

78 (c) Maintain a list that accounts for all current
 79 employees or contractors who have access to a master key or fob
 80 or access to individual unit keys or fobs.

81 (d) Make the list required under paragraph (c) accessible
 82 upon request:

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

85 2. To a tenant.

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

88 (e) Maintain the list required under paragraph (c) for at
 89 least 1 year.

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 91 During the division's annual inspection of the apartment
 92 building or complex, a licensee must, upon request, provide the
 93 division with proof of compliance with this subsection.

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