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LEGISLATIVE ACTION

Senate

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House

The Committee on Community Affairs (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete lines 72 - 82

and insert:

(5) A fee collected under this section, an insurance product, or a surety bond accepted by a landlord in lieu of a security deposit is not a security deposit as defined in s. 83.43(12).

(6) A landlord has exclusive discretion as to whether to offer tenants the option to pay a fee in lieu of a security



11 deposit and is not required to offer such fee option to tenants.
12 However, if a landlord offers a tenant an option to pay a fee in
13 lieu of a security deposit, the landlord must also offer all new
14 tenants renting a dwelling unit on the same premises the option
15 to pay a fee in lieu of a security deposit, unless the landlord
16 chooses to prospectively terminate the fee option for all new
17 leases.

18 (7) This section does not prohibit a tenant from being
19 offered or sold an insurance product or a surety bond to present
20 to the landlord in lieu of a security deposit if the offer or
21 sale of such insurance product or surety bond complies with the
22 laws of this state. Acceptance by a landlord of an insurance
23 product or a surety bond that is purchased or procured by a
24 tenant, a landlord, or an agent of the landlord may not be
25 considered an offer on the part of the landlord to allow a
26 tenant to pay a fee in lieu of a security deposit for the
27 purposes of subsection (6).

28 (8) This section applies to rental agreements entered into
29

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

31 And the title is amended as follows:

32 Delete lines 12 - 18

33 and insert:

34 specifying that certain fees, insurance products, and
35 surety bonds are not security deposits; specifying
36 that landlords have exclusive discretion as to whether
37 to offer tenants the option to pay a fee in lieu of a
38 security deposit; requiring that landlords who offer a
39 tenant the fee option offer such option to all new



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40 tenants renting a dwelling unit on the same premises,
41 except in certain circumstances; providing an
42 exception; providing construction; providing