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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2022	.	
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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



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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