

1 A bill to be entitled
2 An act relating to certified recovery residences;
3 creating a short title; amending s. 397.311, F.S.;
4 revising definitions; amending s. 397.487, F.S.;
5 revising legislative findings; requiring any person,
6 entity, or organization that owns, operates, or
7 manages a recovery residence to obtain and maintain
8 certification through the Department of Children and
9 Families; requiring recovery residences operating on a
10 specified date to apply to the department for
11 certification by a specified date; authorizing such
12 recovery residences to continue to operate
13 conditionally during the application process unless
14 suspended or denied; requiring the department to
15 approve at least one credentialing entity with certain
16 expertise; requiring that such credentialing entity be
17 affiliated with the National Alliance for Recovery
18 Residences; deleting a requirement that the
19 certification program is voluntary; deleting obsolete
20 language; specifying the criteria for active
21 management of a recovery residence; deleting a
22 requirement that a recovery residence be certified and
23 have a discharge policy approved by a department-
24 recognized credentialing entity before immediately
25 discharging or transferring a resident; revising a

26 provision prohibiting certified recovery residences
27 from denying admission to an individual solely because
28 that person is prescribed federally approved
29 medication for the treatment of a substance use
30 disorder to be consistent with the Americans with
31 Disabilities Act and the Fair Housing Act; authorizing
32 a recovery residence to conduct an individualized
33 assessment to determine whether admitting a specified
34 individual would fundamentally alter the nature of the
35 recovery residence's operations based on objective,
36 individualized evidence; providing that such
37 assessment may not be based on program philosophy or
38 generalized assumptions; requiring the Department of
39 Children and Families to adopt rules consistent with
40 federal guidance; providing construction; authorizing
41 a recovery residence operating as a 100-percent
42 abstinence-based program to restrict admission to
43 certain individuals under specified circumstances;
44 requiring the department to adopt rules and establish
45 certain standards; making technical changes; amending
46 s. 397.4871, F.S.; revising legislative intent;
47 deleting a provision that the credentialing program
48 for recovery residence administrator certification is
49 voluntary; making technical changes; amending s.
50 397.4873, F.S.; deleting a requirement that a licensed

51 service provider may not make a referral of a
52 prospective, current, or discharged patient to a
53 recovery residence if such recovery residence is not
54 actively managed by a certified recovery residence
55 administrator; revising applicability; amending s.
56 633.208, F.S.; conforming a cross-reference;
57 reenacting ss. 61.13(9)(a) and (b), 553.80(10) and
58 893.13(1)(h), F.S., relating to support of children
59 and parenting and time-sharing, enforcement, and
60 prohibited acts and penalties, respectively, to
61 incorporate the amendment made to s. 397.311, F.S., in
62 references thereto; providing an effective date.

63
64 WHEREAS, the Legislature recognizes that recovery
65 residences play a vital role in sustaining long-term recovery
66 from substance use disorders by providing safe, stable, and
67 supported living environments, and

68 WHEREAS, the Legislature further finds that the absence of
69 consistent statewide standards for the ownership, management,
70 and operation of recovery residences has led to confusion,
71 exploitation, and consumer harm among individuals seeking
72 recovery, and

73 WHEREAS, in 2015, the Legislature enacted s. 397.311,
74 Florida Statutes, to establish a framework for voluntary
75 certification, but experience has demonstrated that voluntary

76 compliance alone is insufficient to ensure resident safety and
77 the integrity of Florida's recovery housing system, and

78 WHEREAS, it is the intent of the Legislature to strengthen
79 the protections originally established by s. 397.311, Florida
80 Statutes, by requiring certification of all recovery residences,
81 revising levels of structured support to reflect the needs of
82 persons in recovery, and ensuring that certified recovery
83 residence administrators are qualified, accountable, and
84 ethically bound to uphold the highest standards of care, and

85 WHEREAS, the Legislature further finds that recovery
86 residences, when operated in accordance with nationally
87 recognized standards, reduce relapse, homelessness, and
88 recidivism, and thereby promote individual recovery, family
89 reunification, and public safety, while reducing the overall
90 cost of care to the state, NOW, THEREFORE,

91
92 Be It Enacted by the Legislature of the State of Florida:

93
94 **Section 1.** This act may be cited as the "Recovery
95 Residence Accountability and Protection Act of 2025."

96 **Section 2. Subsections (5), (9), (39), and (40) of section**
97 **397.311, Florida Statutes, are amended to read:**

98 397.311 Definitions.—As used in this chapter, except part
99 VIII, the term:

100 (5) "Certified Recovery residence" means a recovery

101 residence that holds a valid certificate of compliance and is
102 actively managed by a ~~certified~~ recovery residence
103 administrator.

104 (a) A Level I certified recovery residence houses
105 individuals in recovery who have ~~completed treatment, with a~~
106 minimum of 9 months of sobriety. A Level I certified recovery
107 residence may be ~~is~~ democratically run by the members who reside
108 in the home, or have a person designated as a house manager or a
109 peer leader who has a lived experience in recovery available for
110 resident oversight and support. Residents are expected to follow
111 rules outlined in a resident handbook. Residents must pay rent
112 and work toward achieving realistic and defined milestones
113 within a chosen recovery path.

114 (b) A Level II certified recovery residence encompasses
115 the traditional perspectives of sober living homes. Residents
116 are monitored by ~~There is oversight from~~ a house manager who has
117 lived experience with living in recovery, and. ~~Residents are~~
118 expected to follow rules outlined in a resident handbook
119 ~~provided by the certified recovery residence administrator.~~
120 Residents must pay rent ~~dues, if applicable,~~ and work toward
121 achieving realistic and defined milestones within a chosen
122 recovery path. Residents who are receiving outpatient services
123 from a licensed service provider are permitted so long as the
124 Level II recovery residence has no affiliation, pecuniary or
125 otherwise, with that licensed service provider.

126 (c) A Level III certified recovery residence delivers
127 weekly nonclinical structured programming, including peer-based
128 and other recovery support services such as recovery and
129 resiliency groups, person-driven recovery plans, 12-step
130 immersion, faith-based services, or some other form of
131 nonclinical recovery services or programming, and life skills
132 development programming such as meal preparation, job readiness,
133 or budgeting. A Level III certified recovery residence provides
134 ~~offers higher~~ supervision by staff ~~with formal training to~~
135 ensure resident accountability. Level III certified recovery
136 residences support populations that need more intense support in
137 developing recovery capital than provided by Level I or Level II
138 recovery residences. Such residences must be ~~are~~ staffed 24
139 hours a day, 7 days a week, ~~and offer residents peer-support~~
140 ~~services, which may include, but are not limited to, life skill~~
141 ~~mentoring, recovery planning, and meal preparation.~~ Clinical
142 services may be procured through unaffiliated third parties,
143 however, such services may not be performed at the residence.
144 ~~Such residences are most appropriate for persons who require a~~
145 ~~more structured environment during early recovery from~~
146 ~~addiction.~~

147 (d) A Level IV ~~certified~~ recovery residence is a residence
148 offered, referred to, or provided by, a licensed service
149 provider to its patients who ~~are required to~~ reside at the
150 residence while receiving intensive outpatient and higher levels

151 of outpatient care. Such residences must be ~~are~~ staffed 24 hours
152 a day and combine outpatient licensable services with recovery
153 residential living. Residents are required to follow a treatment
154 plan and attend group and individual sessions, in addition to
155 developing a recovery plan within the social model of living in
156 a sober lifestyle. ~~No~~ Clinical services may not be ~~are~~ provided
157 at the residence and all licensable services are provided
158 offsite.

159 (9) "Community housing" means a ~~certified~~ recovery
160 residence offered, referred to, or provided by a licensed
161 service provider that provides housing to ~~its~~ patients who ~~are~~
162 ~~required to~~ reside at the residence while receiving intensive
163 outpatient and higher levels of outpatient care. A ~~certified~~
164 recovery residence used by a licensed service provider which
165 ~~that~~ meets the definition of community housing shall be
166 classified as a Level IV level of support, as described in
167 subsection (5).

168 (39) "Recovery residence" or "certified recovery
169 residence" means a residential dwelling unit, whether single- or
170 multi-family, the community housing component of a licensed day
171 or night treatment facility with community housing, or any other
172 form of group housing, which is represented, offered, or
173 advertised to the public as providing a living environment for
174 persons recovering from substance use disorders. A recovery
175 residence must hold a valid certificate of compliance pursuant

176 ~~to s. 397.487 through any means, including oral, written,~~
177 ~~electronic, or printed means, by any person or entity as a~~
178 ~~residence that provides a peer-supported, alcohol-free, and~~
179 ~~drug-free living environment.~~

180 (40) "Recovery residence administrator" means the person
181 responsible for overall management of the recovery residence who
182 holds a valid certificate of compliance pursuant to s. 397.4871,
183 including, but not limited to, the supervision of residents and
184 staff employed by, or volunteering for, the residence.

185 **Section 3. Section 397.487, Florida Statutes, is amended**
186 **to read:**

187 397.487 ~~Voluntary~~ Certification of recovery residences.—

188 (1) The Legislature finds that recovery residences play a
189 vital role in sustaining long-term recovery from substance use
190 disorders by providing safe, stable, and supported living
191 environments. The Legislature further finds that the absence of
192 consistent statewide standards for the ownership, management,
193 and operation of recovery residences has led to confusion,
194 exploitation, and consumer harm among individuals seeking
195 recovery. The Legislature enacted this section to establish a
196 framework for voluntary certification, but experience has
197 demonstrated that voluntary compliance alone is insufficient to
198 ensure resident safety, the integrity of Florida's recovery
199 housing system, and the protection of persons in recovery, who
200 have historically been subjected to exploitation and abuse by

201 unscrupulous operators of uncertified recovery residences in
202 this state. It is the intent of the Legislature to strengthen
203 the protections originally established by this section by
204 requiring the certification of all recovery residences, revising
205 levels of structured support to reflect the needs of persons in
206 recovery, and ensuring that certified recovery residence
207 administrators are qualified, accountable, and ethically bound
208 to uphold the highest standards of care. The Legislature further
209 finds that recovery residences, when operated in accordance with
210 nationally recognized standards, reduce relapse, homelessness,
211 and recidivism, thereby promoting individual recovery, family
212 reunification, and resident safety, while reducing the overall
213 cost of care to the state ~~a person suffering from addiction has~~
214 ~~a higher success rate of achieving long-lasting sobriety when~~
215 ~~given the opportunity to build a stronger foundation by living~~
216 ~~in a recovery residence while receiving treatment or after~~
217 ~~completing treatment. The Legislature further finds that this~~
218 ~~state and its subdivisions have a legitimate state interest in~~
219 ~~protecting these persons, who represent a vulnerable consumer~~
220 ~~population in need of adequate housing. It is the intent of the~~
221 ~~Legislature to protect persons who reside in a recovery~~
222 ~~residence.~~

223 (2) Any person, entity, or organization that owns,
224 operates, or manages a recovery residence must obtain and
225 maintain certification in accordance with this section. It is

unlawful to operate a recovery residence without such certification. Recovery residences operating as of July 1, 2026, must apply for certification no later than January 1, 2027, and may operate conditionally during the application process, unless suspended or denied. The department shall approve at least one credentialing entity with demonstrated expertise in recovery housing operations and compliance monitoring which is affiliated with the National Alliance for Recovery Residences ~~by December 1, 2015,~~ for the purpose of ~~developing and~~ administering a ~~voluntary~~ certification program for recovery residences. The approved credentialing entity shall:

(a) Establish recovery residence certification requirements.

(b) Establish procedures to:

1. Administer the application, certification, recertification, and disciplinary processes.

2. Monitor and inspect a recovery residence and its staff to ensure compliance with certification requirements.

3. Interview and evaluate residents, employees, and volunteer staff on their knowledge and application of certification requirements.

(c) Provide training for owners, managers, and staff.

(d) Develop a code of ethics.

(e) Establish application, inspection, and annual certification renewal fees. The application fee may not exceed

251 \$100. Any onsite inspection fee shall reflect actual costs for
252 inspections. The annual certification renewal fee may not exceed
253 \$100.

254 (3) A credentialing entity shall require the recovery
255 residence to submit the following documents with the completed
256 application and fee:

257 (a) A policy and procedures manual containing:

258 1. Job descriptions for all staff positions.

259 2. Drug-testing procedures and requirements.

260 3. A prohibition on the premises against alcohol,
261 marijuana, illegal drugs, and the use of prescribed medications
262 by an individual other than the individual for whom the
263 medication is prescribed. For the purposes of this subsection,
264 "marijuana" includes marijuana that has been certified by a
265 qualified physician for medical use in accordance with s.
266 381.986.

267 4. Policies to support a resident's recovery efforts.

268 5. A good neighbor policy to address neighborhood concerns
269 and complaints.

270 (b) Rules for residents.

271 (c) Copies of all forms provided to residents.

272 (d) Intake procedures.

273 (e) Sexual predator and sexual offender registry
274 compliance policy.

275 (f) Relapse policy.

(g) Fee schedule.

(h) Refund policy.

(i) Eviction procedures and policy.

(j) Code of ethics.

(k) Proof of insurance.

(l) Proof of background screening.

(m) Proof of satisfactory fire, safety, and health inspections.

(4) A ~~certified~~ recovery residence must be actively managed by a ~~certified~~ recovery residence administrator. All applications for certification must include the name of the ~~certified~~ recovery residence administrator who will be actively managing the applicant recovery residence. Active management of a recovery residence includes:

(a) Ensuring compliance with certification requirements, including site management, ethical practices, and record keeping.

(b) Overseeing staff management and training.

(c) Developing programs and activities that provide recovery support to residents.

(d) Crisis management, including interaction with medical professionals, law enforcement, and emergency management.

(e) Continuous improvement in recovery management and addiction recovery support.

(5) Upon receiving a complete application, a credentialing

entity shall conduct an onsite inspection of the recovery residence.

(6) All owners, directors, and chief financial officers of an applicant recovery residence are subject to level 2 background screening as provided under s. 408.809 and chapter 435. A recovery residence is ineligible for certification, and a credentialing entity must ~~shall~~ deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 435.07. Exemptions from disqualification applicable to service provider personnel pursuant to s. 397.4073 or s. 435.07 ~~shall~~ apply to this subsection. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

(7) A credentialing entity shall issue a certificate of compliance upon approval of the recovery residence's application and inspection. The certification ~~shall~~ automatically terminates ~~terminate~~ 1 year after issuance if not renewed.

(8) Onsite follow-up ~~followup~~ monitoring of a ~~certified~~ recovery residence may be conducted by the credentialing entity to determine continuing compliance with certification

326 requirements. The credentialing entity shall inspect each
327 ~~certified~~ recovery residence at least annually to ensure
328 compliance.

329 (a) A credentialing entity may suspend or revoke a
330 certification if the recovery residence is not in compliance
331 with any provision of this section or has failed to remedy any
332 deficiency identified by the credentialing entity within the
333 time period specified.

334 (b) A ~~certified~~ recovery residence must notify the
335 credentialing entity within 3 business days after the removal of
336 the recovery residence's ~~certified~~ recovery residence
337 administrator due to termination, resignation, or any other
338 reason. The ~~certified~~ recovery residence has 90 days to retain a
339 ~~certified~~ recovery residence administrator. The credentialing
340 entity must revoke the certificate of compliance of any
341 ~~certified~~ recovery residence that fails to comply with this
342 paragraph.

343 (c) If a ~~certified~~ recovery residence's administrator has
344 been removed due to termination, resignation, or any other
345 reason and had been previously approved to actively manage more
346 than 50 residents pursuant to s. 397.4871(8)(b), the ~~certified~~
347 recovery residence has 90 days to retain another ~~certified~~
348 recovery residence administrator pursuant to s. 397.4871. The
349 credentialing entity must revoke the certificate of compliance
350 of any ~~certified~~ recovery residence that fails to comply with

351 this paragraph.

352 (d) If any owner, director, or chief financial officer of
353 a ~~certified~~ recovery residence is arrested and awaiting
354 disposition for or found guilty of, or enters a plea of guilty
355 or nolo contendere to, regardless of whether adjudication is
356 withheld, any offense listed in s. 435.04(2) while acting in
357 that capacity, the ~~certified~~ recovery residence must immediately
358 remove the person from that position and notify the
359 credentialing entity within 3 business days after such removal.
360 The credentialing entity must revoke the certificate of
361 compliance of a ~~certified~~ recovery residence that fails to meet
362 these requirements.

363 (e) A credentialing entity shall revoke a ~~certified~~
364 recovery residence's certificate of compliance if the ~~certified~~
365 recovery residence provides false or misleading information to
366 the credentialing entity at any time.

367 (f) Any decision by a department-recognized credentialing
368 entity to deny, revoke, or suspend a certification, or otherwise
369 impose sanctions on a ~~certified~~ recovery residence, is
370 reviewable by the department. Upon receiving an adverse
371 determination, the ~~certified~~ recovery residence may request an
372 administrative hearing pursuant to ss. 120.569 and 120.57(1)
373 within 30 days after completing any appeals process offered by
374 the credentialing entity or the department, as applicable.

375 (9) A person may not advertise to the public, in any way

or by any medium whatsoever, any recovery residence as a "~~certified~~ recovery residence" unless such recovery residence has first secured a certificate of compliance under this section. A person who violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10) (a) A ~~certified~~ recovery residence may allow a minor child to visit a parent who is a resident of the recovery residence, provided that a minor child may not visit or remain in the recovery residence between the hours of 9 p.m. and 7 a.m. unless:

1. A court makes a specific finding that such visitation is in the best interest of the minor child; or

2. The recovery residence is a specialized residence for pregnant women or parents whose children reside with them. Such recovery residences may allow children to visit or reside in the residence if the parent does not yet have a time-sharing plan pursuant to s. 61.13, provided that the parent files with the court for establishment of a plan within 14 days of moving into the residence.

(b) A ~~certified~~ recovery residence may not allow a minor child to visit a parent who is a resident of the recovery residence at any time if any resident of the recovery residence is currently required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435.

401 (11) Notwithstanding any landlord and tenant rights and
402 obligations under chapter 83, a recovery residence ~~that is~~
403 ~~certified under this section and has a discharge policy approved~~
404 ~~by a department-recognized credentialing entity~~ may immediately
405 discharge or transfer a resident in accordance with that policy
406 under any of the following circumstances:

407 (a) The discharge or transfer is necessary for the
408 resident's welfare.

409 (b) The resident's needs cannot be met at the recovery
410 residence.

411 (c) The health and safety of other residents or recovery
412 residence employees is at risk or would be at risk if the
413 resident continues to live at the recovery residence.

414 (12) Any person discharged from a recovery residence under
415 subsection (11) who willfully refuses to depart after being
416 warned by the owner or an authorized employee of the recovery
417 residence commits the offense of trespass in a recovery
418 residence, a misdemeanor of the second degree, punishable as
419 provided in s. 775.082 or s. 775.083.

420 (13) (a) Consistent with the Americans with Disabilities
421 Act and the Fair Housing Act, a recovery residence may not deny
422 admission to an individual solely because he or she is
423 prescribed federally approved medication for the treatment of a
424 substance use disorder.

425 (b) A recovery residence may conduct an individualized

426 assessment to determine whether admitting a specific individual
427 would fundamentally alter the nature of the recovery residence's
428 operations based on objective, individualized evidence, and not
429 on program philosophy or generalized assumptions.

430 (c) The department shall adopt rules establishing
431 procedures for individualized assessments, documentation,
432 reasonable accommodations, and resident rights which are
433 consistent with federal guidance.

434 (d) This subsection may not be construed to authorize
435 blanket policies or program-wide exclusions of individuals who
436 take federally approved medication for the treatment of a
437 substance use disorder.

438 (e) ~~Beginning January 1, 2025,~~ A certified recovery
439 residence may not deny an individual access to housing solely on
440 the basis that he or she has been prescribed federally approved
441 medication that assists with treatment for substance use
442 disorders; however, a recovery residence operating as a 100-
443 percent abstinence-based program may restrict admission to
444 individuals currently using medication-assisted treatment if the
445 admission of such individuals would fundamentally alter the
446 nature of the program's abstinence-based model, as authorized by
447 29 C.F.R. s. 35.130(b)(7). The department shall adopt rules to
448 define the term "abstinence-based recovery residence" and
449 establish standards ensuring transparency and consumer choice
450 consistent with the Americans with Disabilities Act and the Fair

451 Housing Act ~~by a licensed physician, a physician's assistant, or~~
452 ~~an advanced practice registered nurse registered under s.~~
453 ~~464.0123.~~

454 (14) A local ordinance or regulation may not further
455 regulate the duration or frequency of a resident's stay in a
456 ~~certified~~ recovery residence located within a multifamily zoning
457 district after June 30, 2024. This provision expires ~~shall~~
458 ~~expire~~ July 1, 2026.

459 (15) (a) By January 1, 2026, the governing body of each
460 county or municipality shall adopt an ordinance establishing
461 procedures for the review and approval of ~~certified~~ recovery
462 residences within its jurisdiction. The ordinance must include a
463 process for requesting reasonable accommodations from any local
464 land use regulation that serves to prohibit the establishment of
465 a ~~certified~~ recovery residence.

466 (b) At a minimum, the ordinance must:

467 1. Be consistent with the Fair Housing Amendments Act of
468 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans
469 with Disabilities Act, 42 U.S.C. ss. 12131 et seq.

470 2. Establish a written application process for requesting
471 a reasonable accommodation for the establishment of a ~~certified~~
472 recovery residence, which application must be submitted to the
473 appropriate local government office.

474 3. Require the local government to date stamp each
475 application upon receipt. If additional information is required,

the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

4. Require the local government to issue a final written determination on the application within 60 days after receipt of a completed application. The determination must:

a. Approve the request in whole or in part, with or without conditions; or

b. Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

5. Provide that if a final written determination is not issued within 60 days after receipt of a completed application, the request is deemed approved unless the parties agree in writing to a reasonable extension of time.

6. Require that the application include, at a minimum:

a. The name and contact information of the applicant or the applicant's authorized representative;

b. The property address and parcel identification number; and

c. A description of the accommodation requested and the specific regulation or policy from which relief is sought.

(c) The ordinance may establish additional requirements for the review or approval of reasonable accommodation requests for establishing a ~~certified~~ recovery residence, provided such

requirements are consistent with federal law and do not conflict with this subsection.

(d) The ordinance may not require public hearings beyond the minimum required by law to grant the requested accommodation.

(e) The ordinance may include provisions for the revocation of a granted accommodation of a ~~certified~~ recovery residence for cause, including, but not limited to, a violation of the conditions of approval or the lapse, revocation, or failure to maintain certification or licensure required under this section, if not reinstated within 180 days.

(f) The ordinance and establishment of a reasonable accommodation process does not relieve the local government from its obligations under the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq. The regulation for which the applicant is seeking a reasonable accommodation must not facially discriminate against or otherwise disparately impact the applicant.

(16) The application of this section does not supersede any current or future declaration or declaration of condominium adopted pursuant to chapter 718; any cooperative document adopted pursuant to chapter 719; or any declaration or declaration of covenant adopted pursuant to chapter 720.

Section 4. Subsections (1), (2), (7), and (8) of section

397.4871, Florida Statutes, are amended to read:

397.4871 Recovery residence administrator certification.—

(1) It is the intent of the Legislature that a recovery residence administrator ~~voluntarily~~ earn and maintain certification from a credentialing entity approved by the Department of Children and Families. The Legislature further intends that certification ensure that an administrator has the competencies necessary to appropriately respond to the needs of residents, to maintain residence standards, and to meet residence certification requirements.

(2) The department shall approve at least one credentialing entity ~~by December 1, 2015,~~ for the purpose of developing and administering a ~~voluntary~~ credentialing program for administrators. The department shall approve any credentialing entity that the department endorses pursuant to s. 397.321(15) if the credentialing entity also meets the requirements of this section. The approved credentialing entity shall:

(a) Establish recovery residence administrator core competencies, certification requirements, testing instruments, and recertification requirements.

(b) Establish a process to administer the certification application, award, and maintenance processes.

(c) Develop and administer:

1. A code of ethics and disciplinary process.

551 2. Biennial continuing education requirements and annual
552 certification renewal requirements.

553 3. An education provider program to approve training
554 entities that are qualified to provide precertification training
555 to applicants and continuing education opportunities to
556 certified persons.

557 (7) A person may not advertise himself or herself to the
558 public, in any way or by any medium whatsoever, as a "~~certified~~
559 recovery residence administrator" unless he or she has first
560 secured a certificate of compliance under this section. A person
561 who violates this subsection commits a misdemeanor of the first
562 degree, punishable as provided in s. 775.082 or s. 775.083.

563 (8)(a) A ~~certified~~ recovery residence administrator must
564 demonstrate the ability to effectively and appropriately respond
565 to the needs of residents, to maintain residence standards, and
566 to meet the certification requirements of this section.

567 (b) A ~~certified~~ recovery residence administrator may not
568 actively manage more than 50 residents at any given time unless
569 written justification is provided to, and approved by, the
570 credentialing entity as to how the administrator is able to
571 effectively and appropriately respond to the needs of the
572 residents, to maintain residence standards, and to meet the
573 residence certification requirements of this section. However, a
574 ~~certified~~ recovery residence administrator may not actively
575 manage more than 100 residents at any given time.

(c) Notwithstanding paragraph (b), a Level IV ~~certified~~ recovery residence operating as community housing as defined in s. 397.311(9), which residence is actively managed by a ~~certified~~ recovery residence administrator approved for 100 residents under this section and is wholly owned or controlled by a licensed service provider, may:

1. Actively manage up to 150 residents so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence with a personnel-to-resident ratio of 1 to 10.

2. Actively manage up to 300 residents, so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence with a personnel-to-resident ratio of 1 to 6.

A ~~certified~~ recovery residence administrator who has been removed by a ~~certified~~ recovery residence due to termination, resignation, or any other reason may not continue to actively manage more than 50 residents for another service provider or ~~certified~~ recovery residence without being approved by the credentialing entity.

Section 5. Subsections (1) and (2) of section 397.4873, Florida Statutes, are amended to read:

397.4873 Referrals to or from recovery residences;
prohibitions; penalties.—

(1) A service provider licensed under this part may not make a referral of a prospective, current, or discharged patient to, or accept a referral of such a patient from, a recovery residence unless the recovery residence holds a valid certificate of compliance as provided in s. 397.487 ~~and is actively managed by a certified recovery residence administrator as provided in s. 397.4871.~~

(2) Subsection (1) does not apply to:

~~(a) A licensed service provider under contract with a managing entity as defined in s. 394.9082.~~

~~(b) Referrals by a recovery residence to a licensed service provider when the recovery residence or its owners, directors, operators, or employees do not benefit, directly or indirectly, from the referral.~~

~~(c) Referrals made before July 1, 2018, by a licensed service provider to that licensed service provider's wholly owned subsidiary.~~

~~(d)~~ the referral of a patient to, or acceptance of a referral of such a patient from, a recovery residence that has no direct or indirect financial or other referral relationship with the licensed service provider and that is democratically operated by its residents pursuant to a charter from an entity recognized or sanctioned by Congress, and where the residence or

any resident of the residence does not receive a benefit,
directly or indirectly, for the referral.

Section 6. Subsection (11) of section 633.208, Florida Statutes, is amended to read:

633.208 Minimum firesafety standards.—

(11) Notwithstanding subsection (8), a single-family or two-family dwelling that is a certified recovery residence, ~~as defined in s. 397.311,~~ or ~~that is~~ a recovery residence, as defined in s. 397.311, that has a charter from an entity recognized or sanctioned by Congress may not be reclassified for purposes of enforcing the Florida Fire Prevention Code solely due to such use.

Section 7. For the purpose of incorporating the amendment made by this act to section 397.311, Florida Statutes, in references thereto, paragraphs (a) and (b) of subsection (9) of section 61.13, Florida Statutes, are reenacted to read:

61.13 Support of children; parenting and time-sharing; powers of court.—

(9)(a) A time-sharing plan may not require that a minor child visit a parent who is a resident of a recovery residence, as defined by s. 397.311, between the hours of 9 p.m. and 7 a.m., unless the court makes a specific finding that such visitation is in the best interest of the child. In determining the best interest of the minor child in such cases, the court shall take into account factors including, but not limited to,

whether the parent resides in a specialized residence for pregnant women or parents whose children reside with them, the number of adults living in the recovery residence, and the parent's level of recovery.

(b) A time-sharing plan that does not mention a recovery residence may not be interpreted to require that a minor child visit a parent who is a resident of a recovery residence, as defined by s. 397.311, between the hours of 9 p.m. and 7 a.m.

Section 8. For the purpose of incorporating the amendment made by this act to section 397.311, Florida Statutes, in references thereto, subsection (10) of section 553.80, Florida Statutes, is reenacted to read:

553.80 Enforcement.—

(10) A single-family or two-family dwelling that is converted into a certified recovery residence, as defined in s. 397.311, or a recovery residence, as defined in s. 397.311, that has a charter from an entity recognized or sanctioned by Congress does not have a change of occupancy as defined in the Florida Building Code solely due to such conversion.

Section 9. For the purpose of incorporating the amendment made by this act to section 397.311, Florida Statutes, in references thereto, paragraph (h) of subsection (1) of section 893.13, Florida Statutes, is reenacted to read:

893.13 Prohibited acts; penalties.—

(1)

(h) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a mental health facility, as that term is used in chapter 394; a health care facility licensed under chapter 395 which provides substance abuse treatment; a licensed service provider as defined in s. 397.311; a facility providing services that include clinical treatment, intervention, or prevention as described in s. 397.311(27); a recovery residence as defined in s. 397.311; an assisted living facility as defined in chapter 429; or a pain management clinic as defined in s.

458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a

HB 1165

2026

701 \$500 fine and to serve 100 hours of public service in addition
702 to any other penalty prescribed by law.

703 **Section 10.** This act shall take effect July 1, 2026.