

By Senator Harrell

31-01466B-26

20261290__

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

31-01466B-26

20261290__

30 medication for the treatment of a substance use
31 disorder to be consistent with the Americans with
32 Disabilities Act and the Fair Housing Act; authorizing
33 a recovery residence to conduct an individualized
34 assessment to determine whether admitting a specified
35 individual would fundamentally alter the nature of the
36 recovery residence's operations based on objective,
37 individualized evidence; providing that such
38 assessment may not be based on program philosophy or
39 generalized assumptions; requiring the Department of
40 Children and Families to adopt rules consistent with
41 federal guidance; providing construction; authorizing
42 a recovery residence operating as a 100-percent
43 abstinence-based program to restrict admission to
44 certain individuals under specified circumstances;
45 requiring the department to adopt rules and establish
46 certain standards; making technical changes; amending
47 s. 397.4871, F.S.; revising legislative intent;
48 deleting a provision that the credentialing program
49 for recovery residence administrator certification is
50 voluntary; making technical changes; amending s.
51 397.4873, F.S.; deleting a requirement that a licensed
52 service provider may not make a referral of a
53 prospective, current, or discharged patient to a
54 recovery residence if such recovery residence is not
55 actively managed by a certified recovery residence
56 administrator; revising applicability; amending s.
57 633.208, F.S.; conforming a cross-reference;
58 reenacting ss. 61.13(9)(a) and (b), 553.80(10) and

31-01466B-26

20261290__

59 893.13(1)(h), F.S., relating to support of children
60 and parenting and time-sharing, enforcement, and
61 prohibited acts and penalties, respectively, to
62 incorporate the amendment made to s. 397.311, F.S., in
63 references thereto; providing an effective date.

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

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

74 WHEREAS, in 2015, the Legislature enacted s. 397.311,
75 Florida Statutes, to establish a framework for voluntary
76 certification, but experience has demonstrated that voluntary
77 compliance alone is insufficient to ensure resident safety and
78 the integrity of Florida's recovery housing system, and

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

86 WHEREAS, the Legislature further finds that recovery
87 residences, when operated in accordance with nationally

31-01466B-26

20261290__

88 recognized standards, reduce relapse, homelessness, and
89 recidivism, and thereby promote individual recovery, family
90 reunification, and public safety, while reducing the overall
91 cost of care to the state, NOW, THEREFORE,

92

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

94

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

97 Section 2. Subsections (5), (9), (39), and (40) of section
98 397.311, Florida Statutes, are amended to read:

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

101 (5) "Certified Recovery residence" means a recovery
102 residence that holds a valid certificate of compliance and is
103 actively managed by a ~~certified~~ recovery residence
104 administrator.

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

115 (b) A Level II certified recovery residence encompasses the
116 traditional perspectives of sober living homes. Residents are

31-01466B-26

20261290__

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

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

31-01466B-26

20261290__

146 ~~more structured environment during early recovery from~~
147 ~~addiction.~~

148 (d) A Level IV ~~certified~~ recovery residence is a residence
149 offered, referred to, or provided by, a licensed service
150 provider to its patients who ~~are required to~~ reside at the
151 residence while receiving intensive outpatient and higher levels
152 of outpatient care. Such residences must be ~~are~~ staffed 24 hours
153 a day and combine outpatient licensable services with recovery
154 residential living. Residents are required to follow a treatment
155 plan and attend group and individual sessions, in addition to
156 developing a recovery plan within the social model of living in
157 a sober lifestyle. ~~No~~ Clinical services may not be ~~are~~ provided
158 at the residence and all licensable services are provided
159 offsite.

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

169 (39) "Recovery residence" or "certified recovery residence"
170 means a residential dwelling unit, whether single- or multi-
171 family, the community housing component of a licensed day or
172 night treatment facility with community housing, or any other
173 form of group housing, which is represented, offered, or
174 advertised to the public as providing a living environment for

31-01466B-26

20261290__

175 persons recovering from substance use disorders. A recovery
176 residence must hold a valid certificate of compliance pursuant
177 to s. 397.487 through any means, including oral, written,
178 electronic, or printed means, by any person or entity as a
179 residence that provides a peer-supported, alcohol-free, and
180 drug-free living environment.

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

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

188 397.487 ~~Voluntary~~ Certification of recovery residences.—

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

31-01466B-26

20261290__

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

224 (2) Any person, entity, or organization that owns,
225 operates, or manages a recovery residence must obtain and
226 maintain certification in accordance with this section. It is
227 unlawful to operate a recovery residence without such
228 certification. Recovery residences operating as of July 1, 2026,
229 must apply for certification no later than January 1, 2027, and
230 may operate conditionally during the application process, unless
231 suspended or denied. The department shall approve at least one
232 credentialing entity with demonstrated expertise in recovery

31-01466B-26

20261290__

233 housing operations and compliance monitoring which is affiliated
234 with the National Alliance for Recovery Residences ~~by December~~
235 ~~1, 2015,~~ for the purpose of ~~developing and~~ administering a
236 ~~voluntary~~ certification program for recovery residences. The
237 approved credentialing entity shall:

238 (a) Establish recovery residence certification
239 requirements.

240 (b) Establish procedures to:

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

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

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

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

249 (d) Develop a code of ethics.

250 (e) Establish application, inspection, and annual
251 certification renewal fees. The application fee may not exceed
252 \$100. Any onsite inspection fee shall reflect actual costs for
253 inspections. The annual certification renewal fee may not exceed
254 \$100.

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

258 (a) A policy and procedures manual containing:

259 1. Job descriptions for all staff positions.

260 2. Drug-testing procedures and requirements.

261 3. A prohibition on the premises against alcohol,

31-01466B-26

20261290__

262 marijuana, illegal drugs, and the use of prescribed medications
263 by an individual other than the individual for whom the
264 medication is prescribed. For the purposes of this subsection,
265 "marijuana" includes marijuana that has been certified by a
266 qualified physician for medical use in accordance with s.
267 381.986.

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

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

271 (b) Rules for residents.

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

273 (d) Intake procedures.

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

276 (f) Relapse policy.

277 (g) Fee schedule.

278 (h) Refund policy.

279 (i) Eviction procedures and policy.

280 (j) Code of ethics.

281 (k) Proof of insurance.

282 (l) Proof of background screening.

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

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

31-01466B-26

20261290__

- 291 (a) Ensuring compliance with certification requirements,
292 including site management, ethical practices, and record
293 keeping.
- 294 (b) Overseeing staff management and training.
- 295 (c) Developing programs and activities that provide
296 recovery support to residents.
- 297 (d) Crisis management, including interaction with medical
298 professionals, law enforcement, and emergency management.
- 299 (e) Continuous improvement in recovery management and
300 addiction recovery support.
- 301 (5) Upon receiving a complete application, a credentialing
302 entity shall conduct an onsite inspection of the recovery
303 residence.
- 304 (6) All owners, directors, and chief financial officers of
305 an applicant recovery residence are subject to level 2
306 background screening as provided under s. 408.809 and chapter
307 435. A recovery residence is ineligible for certification, and a
308 credentialing entity must ~~shall~~ deny a recovery residence's
309 application, if any owner, director, or chief financial officer
310 has been found guilty of, or has entered a plea of guilty or
311 nolo contendere to, regardless of adjudication, any offense
312 listed in s. 408.809(4) or s. 435.04(2) unless the department
313 has issued an exemption under s. 435.07. Exemptions from
314 disqualification applicable to service provider personnel
315 pursuant to s. 397.4073 or s. 435.07 ~~shall~~ apply to this
316 subsection. In accordance with s. 435.04, the department shall
317 notify the credentialing agency of an owner's, director's, or
318 chief financial officer's eligibility based on the results of
319 his or her background screening.

31-01466B-26

20261290__

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

324 (8) Onsite follow-up ~~followup~~ monitoring of a ~~certified~~
325 recovery residence may be conducted by the credentialing entity
326 to determine continuing compliance with certification
327 requirements. The credentialing entity shall inspect each
328 ~~certified~~ recovery residence at least annually to ensure
329 compliance.

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

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

344 (c) If a ~~certified~~ recovery residence's administrator has
345 been removed due to termination, resignation, or any other
346 reason and had been previously approved to actively manage more
347 than 50 residents pursuant to s. 397.4871(8)(b), the ~~certified~~
348 recovery residence has 90 days to retain another ~~certified~~

31-01466B-26

20261290__

349 recovery residence administrator pursuant to s. 397.4871. The
350 credentialing entity must revoke the certificate of compliance
351 of any ~~certified~~ recovery residence that fails to comply with
352 this paragraph.

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

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

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

376 (9) A person may not advertise to the public, in any way or
377 by any medium whatsoever, any recovery residence as a "~~certified~~

31-01466B-26

20261290__

378 recovery residence" unless such recovery residence has first
379 secured a certificate of compliance under this section. A person
380 who violates this subsection commits a misdemeanor of the first
381 degree, punishable as provided in s. 775.082 or s. 775.083.

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

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

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

396 (b) A ~~certified~~ recovery residence may not allow a minor
397 child to visit a parent who is a resident of the recovery
398 residence at any time if any resident of the recovery residence
399 is currently required to register as a sexual predator under s.
400 775.21 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:

31-01466B-26

20261290__

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 Act
421 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

31-01466B-26

20261290__

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

31-01466B-26

20261290__

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 a
471 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,
476 the local government must notify the applicant in writing within
477 the first 30 days after receipt of the application and allow the
478 applicant at least 30 days to respond.

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

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

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

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

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

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

31-01466B-26

20261290__

494 b. The property address and parcel identification number;
495 and

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

498 (c) The ordinance may establish additional requirements for
499 the review or approval of reasonable accommodation requests for
500 establishing a ~~certified~~ recovery residence, provided such
501 requirements are consistent with federal law and do not conflict
502 with this subsection.

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

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

512 (f) The ordinance and establishment of a reasonable
513 accommodation process does not relieve the local government from
514 its obligations under the Fair Housing Amendments Act of 1988,
515 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with
516 Disabilities Act, 42 U.S.C. ss. 12131 et seq. The regulation for
517 which the applicant is seeking a reasonable accommodation must
518 not facially discriminate against or otherwise disparately
519 impact the applicant.

520 (16) The application of this section does not supersede any
521 current or future declaration or declaration of condominium
522 adopted pursuant to chapter 718; any cooperative document

31-01466B-26

20261290__

523 adopted pursuant to chapter 719; or any declaration or
524 declaration of covenant adopted pursuant to chapter 720.

525 Section 4. Subsections (1), (2), (7), and (8) of section
526 397.4871, Florida Statutes, are amended to read:

527 397.4871 Recovery residence administrator certification.—

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

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

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

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

548 (c) Develop and administer:

549 1. A code of ethics and disciplinary process.

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

31-01466B-26

20261290__

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

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

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

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

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

31-01466B-26

20261290__

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

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

591
592 A ~~certified~~ recovery residence administrator who has been
593 removed by a ~~certified~~ recovery residence due to termination,
594 resignation, or any other reason may not continue to actively
595 manage more than 50 residents for another service provider or
596 ~~certified~~ recovery residence without being approved by the
597 credentialing entity.

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

600 397.4873 Referrals to or from recovery residences;
601 prohibitions; penalties.—

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

609 (2) Subsection (1) does not apply to+

31-01466B-26

20261290__

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

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

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

619 ~~(d)~~ the referral of a patient to, or acceptance of a
620 referral of such a patient from, a recovery residence that has
621 no direct or indirect financial or other referral relationship
622 with the licensed service provider and that is democratically
623 operated by its residents pursuant to a charter from an entity
624 recognized or sanctioned by Congress, and where the residence or
625 any resident of the residence does not receive a benefit,
626 directly or indirectly, for the referral.

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

629 633.208 Minimum firesafety standards.—

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

637 Section 7. For the purpose of incorporating the amendment
638 made by this act to section 397.311, Florida Statutes, in

31-01466B-26

20261290__

639 references thereto, paragraphs (a) and (b) of subsection (9) of
640 section 61.13, Florida Statutes, are reenacted to read:

641 61.13 Support of children; parenting and time-sharing;
642 powers of court.—

643 (9) (a) A time-sharing plan may not require that a minor
644 child visit a parent who is a resident of a recovery residence,
645 as defined by s. 397.311, between the hours of 9 p.m. and 7
646 a.m., unless the court makes a specific finding that such
647 visitation is in the best interest of the child. In determining
648 the best interest of the minor child in such cases, the court
649 shall take into account factors including, but not limited to,
650 whether the parent resides in a specialized residence for
651 pregnant women or parents whose children reside with them, the
652 number of adults living in the recovery residence, and the
653 parent's level of recovery.

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

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

662 553.80 Enforcement.—

663 (10) A single-family or two-family dwelling that is
664 converted into a certified recovery residence, as defined in s.
665 397.311, or a recovery residence, as defined in s. 397.311, that
666 has a charter from an entity recognized or sanctioned by
667 Congress does not have a change of occupancy as defined in the

31-01466B-26

20261290__

668 Florida Building Code solely due to such conversion.

669 Section 9. For the purpose of incorporating the amendment
670 made by this act to section 397.311, Florida Statutes, in
671 references thereto, paragraph (h) of subsection (1) of section
672 893.13, Florida Statutes, is reenacted to read:

673 893.13 Prohibited acts; penalties.—

674 (1)

675 (h) Except as authorized by this chapter, a person may not
676 sell, manufacture, or deliver, or possess with intent to sell,
677 manufacture, or deliver, a controlled substance in, on, or
678 within 1,000 feet of the real property comprising a mental
679 health facility, as that term is used in chapter 394; a health
680 care facility licensed under chapter 395 which provides
681 substance abuse treatment; a licensed service provider as
682 defined in s. 397.311; a facility providing services that
683 include clinical treatment, intervention, or prevention as
684 described in s. 397.311(27); a recovery residence as defined in
685 s. 397.311; an assisted living facility as defined in chapter
686 429; or a pain management clinic as defined in s.
687 458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who
688 violates this paragraph with respect to:

689 1. A controlled substance named or described in s.
690 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
691 commits a felony of the first degree, punishable as provided in
692 s. 775.082, s. 775.083, or s. 775.084.

693 2. A controlled substance named or described in s.
694 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
695 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
696 the second degree, punishable as provided in s. 775.082, s.

31-01466B-26

20261290__

697 775.083, or s. 775.084.

698 3. Any other controlled substance, except as lawfully sold,
699 manufactured, or delivered, must be sentenced to pay a \$500 fine
700 and to serve 100 hours of public service in addition to any
701 other penalty prescribed by law.

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