

By Senator Gaetz

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A bill to be entitled
An act relating to housing; creating s. 83.471, F.S.;
defining terms; authorizing a landlord to accept
reusable tenant screening reports and require a
specified statement; prohibiting a landlord from
charging certain fees to an applicant using a reusable
tenant screening report; providing construction;
amending s. 163.31771, F.S.; defining the term
"primary dwelling unit"; requiring, rather than
authorizing, local governments to adopt, by a
specified date, an ordinance to allow accessory
dwelling units in certain areas; requiring that such
ordinances apply prospectively; prohibiting the
inclusion of certain requirements or prohibitions in
such ordinances; deleting a requirement that an
application for a building permit to construct an
accessory dwelling unit include a certain affidavit;
revising the accessory dwelling units that apply
toward satisfying a certain component of a local
government's comprehensive plan; prohibiting the
denial of a homestead exemption for certain portions
of property on a specified basis; requiring that a
rented accessory dwelling unit be assessed separately
from the homestead property and taxed according to its
use; amending s. 420.615, F.S.; authorizing a local
government to provide a density bonus incentive to
landowners who make certain real property donations to
assist in the provision of affordable housing for
military families; requiring the Office of Program

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Policy Analysis and Government Accountability to
evaluate the efficacy of using mezzanine finance and
the potential of tiny homes for specified purposes;
requiring the office to consult with certain entities;
requiring the office to submit a certain report to the
Legislature by a specified date; providing an
effective date.

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

Section 1. Section 83.471, Florida Statutes, is created to
read:

83.471 Reusable tenant screening reports.—

(1) As used in this section, the term:

(a)1. "Consumer report" means any written, oral, or other
communication of information by a consumer reporting agency
bearing on a consumer's credit worthiness, credit standing,
credit capacity, character, general reputation, personal
characteristics, or mode of living which is used or expected to
be used or collected in whole or in part for the purpose of
serving as a factor in establishing the consumer's eligibility
for credit or insurance to be used primarily for personal,
family, or household purposes; employment purposes; or any other
purpose authorized under 15 U.S.C. s. 1681b.

2. Except for the restrictions provided in 15 U.S.C. s.
1681a(d)(3), the term "consumer report" does not include:

a. Subject to 15 U.S.C. s. 1681s-3, any report containing
information solely as to transactions or experiences between the
consumer and the person making the report; communication of such

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59 information among persons related by common ownership or
60 affiliated by corporate control; or communication of other
61 information among persons related by common ownership or
62 affiliated by corporate control, if it is clearly and
63 conspicuously disclosed to the consumer that the information may
64 be communicated among such persons and the consumer is given the
65 opportunity, before the time that the information is initially
66 communicated, to direct that such information not be
67 communicated among such persons;

68 b. Any authorization or approval of a specific extension of
69 credit directly or indirectly by the issuer of a credit card or
70 similar device;

71 c. Any report in which a person who has been requested by a
72 third party to make a specific extension of credit directly or
73 indirectly to a consumer conveys his or her decision with
74 respect to such request if the third party advises the consumer
75 of the name and address of the person to whom the request was
76 made, and such person makes the disclosures to the consumer
77 required under 15 U.S.C. s. 1681m; or

78 d. A communication described in 15 U.S.C. s. 1681a(o) or 15
79 U.S.C. s. 1681a(x).

80 (b) "Consumer reporting agency" means any person who, for
81 monetary fees, dues, or on a cooperative nonprofit basis,
82 regularly engages in whole or in part in the practice of
83 assembling or evaluating consumer credit information or other
84 information on consumers for the purpose of furnishing consumer
85 reports to third parties, and who uses any means or facility of
86 interstate commerce for the purpose of preparing or furnishing
87 consumer reports.

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(c) "Reusable tenant screening report" means a report that:

1. Includes all of the following:

a. The applicant's full name.

b. The applicant's contact information, including mailing address, e-mail address, and telephone number.

c. Verification of the applicant's employment.

d. The applicant's last known address.

e. The results of an eviction history check in a manner and for a period of time consistent with applicable law related to the consideration of eviction history in housing.

f. The date through which the information contained in the report is current.

g. The applicant's consumer report.

2.a. Is prepared within the previous 30 days by a consumer reporting agency at the request and expense of an applicant.

b. Is made directly available to a landlord for use in the rental application process or is provided through a third-party website that regularly engages in the business of providing a reusable tenant screening report and complies with all state and federal laws pertaining to use and disclosure of information contained in a consumer report by a consumer reporting agency.

c. Is available to the landlord at no cost to access or use.

(2) A landlord may accept reusable tenant screening reports and may require an applicant to state that there has not been a material change to the information in the reusable tenant screening report.

(3) If an applicant provides a reusable tenant screening report to a landlord who accepts such reports, the landlord may

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not charge the applicant a fee to access the report or an application screening fee.

(4) This section does not:

(a) Affect any other applicable law related to the consideration of criminal history information in housing, including, but not limited to, local ordinances governing the information that landlords may review and consider when determining to whom they will rent; or

(b) Require a landlord to accept reusable tenant screening reports.

Section 2. Subsections (3), (4), and (5) of section 163.31771, Florida Statutes, are amended, paragraph (h) is added to subsection (2) of that section, and a new subsection (5) is added to that section, to read:

163.31771 Accessory dwelling units.—

(2) As used in this section, the term:

(h) "Primary dwelling unit" means the existing or proposed single-family dwelling on the property where a proposed accessory dwelling unit would be located.

(3) By December 1, 2026, a local government shall ~~may~~ adopt an ordinance to allow accessory dwelling units in any area zoned for single-family residential use. Such ordinance must apply prospectively to accessory dwelling units approved after the date the ordinance is adopted. Such ordinance may regulate the permitting, construction, and use of an accessory dwelling unit but may not do any of the following:

(a) Prohibit the renting or leasing of an accessory dwelling unit, except to prohibit the renting or leasing of an accessory dwelling unit approved after the effective date of the

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ordinance for a term of less than 1 month, notwithstanding s.
509.032(7)(b).

(b) Require that the owner of a parcel on which an
accessory dwelling unit is constructed reside in the primary
dwelling unit.

(c) Increase parking requirements on any parcel that can
accommodate an additional motor vehicle on a driveway without
impeding access to the primary dwelling unit.

(d) Require replacement parking if a garage, carport, or
covered parking structure is converted to create an accessory
dwelling unit.

~~(4) An application for a building permit to construct an
accessory dwelling unit must include an affidavit from the
applicant which attests that the unit will be rented at an
affordable rate to an extremely low income, very low income,
low income, or moderate income person or persons.~~

~~(5)~~ Each accessory dwelling unit allowed by an ordinance
adopted under this section which provides affordable rental
housing shall apply toward satisfying the affordable housing
component of the housing element in the local government's
comprehensive plan under s. 163.3177(6)(f).

(5) The owner of a property with an accessory dwelling unit
may not be denied a homestead exemption for those portions of
property on which the owner maintains a permanent residence
solely on the basis of the property containing an accessory
dwelling unit that is or may be rented to another person.
However, if the accessory dwelling unit is rented to another
person, the accessory dwelling unit must be assessed separately
from the homestead property and taxed according to its use.

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Section 3. Subsection (1) of section 420.615, Florida Statutes, is amended to read:

420.615 Affordable housing land donation density bonus incentives.—

(1) A local government may provide density bonus incentives pursuant to ~~the provisions of~~ this section to any landowner who voluntarily donates fee simple interest in real property to the local government for the purpose of assisting the local government in providing affordable housing, including housing that is affordable for military families receiving the basic allowance for housing. Donated real property must be determined by the local government to be appropriate for use as affordable housing and must be subject to deed restrictions to ensure that the property will be used for affordable housing.

Section 4. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate the efficacy of using mezzanine finance, or second-position short-term debt, to stimulate the construction of owner-occupied housing that is affordable as defined in s. 420.0004(3), Florida Statutes, in this state. OPPAGA shall also evaluate the potential of tiny homes in meeting the need for affordable housing in this state. OPPAGA shall consult with the Florida Housing Finance Corporation and the Shimberg Center for Housing Studies at the University of Florida in conducting its evaluation. By December 31, 2027, OPPAGA shall submit a report of its findings to the President of the Senate and the Speaker of the House of Representatives. Such report must include recommendations for the structuring of a model mezzanine finance program.

Section 5. This act shall take effect July 1, 2026.