

By Senator Burgess

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A bill to be entitled
An act relating to water safety requirements for the rental of residential property; amending s. 83.51, F.S.; requiring a landlord to equip certain rental properties with specified water safety features; providing criminal penalties; providing an exception; defining the terms "swimming pool" and "water body"; amending s. 509.211, F.S.; requiring a public lodging establishment licensed as a vacation rental to equip certain rental units with specified water safety features; providing criminal penalties; providing an exception; defining terms; providing an effective date.

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

Section 1. Present subsection (4) of section 83.51, Florida Statutes, is redesignated as subsection (5) and amended, and a new subsection (4) is added to that section, to read:

83.51 Landlord's obligation to maintain premises.—

(4)(a) At all times during a tenancy, if there exists within 150 feet of the dwelling unit a water body or a swimming pool, the landlord must ensure that either:

1. All doors and windows providing direct access to the exterior of the dwelling unit or to an indoor swimming pool within the dwelling unit are equipped with an exit alarm that has a minimum sound pressure rating of 85 dB A at 10 feet; or

2. All doors providing direct access to the exterior of the dwelling unit or to an indoor swimming pool within the dwelling

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unit are equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.

(b) A landlord who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that it is not a violation of this subsection if:

1. The violation is due to the removal or modification of any safety feature required by paragraph (a) by the tenant, a member of the tenant's family, or a person on the premises with the tenant's consent;

2. Such removal or modification occurred without the landlord's knowledge; and

3. The landlord corrects the violation within 45 days of receiving actual knowledge thereof.

(c) For the purposes of this subsection:

1. "Swimming pool" has the same meaning as in s. 515.25.

2. "Water body" means any water or body of water regularly at a depth of at least 24 inches at its deepest point. However, the term does not include underground water that cannot be accessed by individuals from an access point located within 150 feet of the dwelling unit.

(5) The landlord is not responsible to the tenant under this section for conditions created or caused by the negligent or wrongful act or omission of the tenant, a member of the tenant's family, or ~~a other~~ person on the premises with the tenant's consent, including the removal or modification of any safety features required by subsection (4) by the tenant, a member of the tenant's family, or a person on the premises with

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the tenant's consent.

Section 2. Subsection (6) is added to section 509.211, Florida Statutes, to read:

509.211 Safety regulations.—

(6) (a) If a public lodging establishment licensed as a vacation rental has within 150 feet of the rental unit a water body or a swimming pool, the licensee must ensure that:

1. All doors and windows providing direct access to the exterior of the rental unit or to an indoor swimming pool within the rental unit are equipped with an exit alarm that has a minimum sound pressure rating of 85 dB A at 10 feet; or

2. All doors providing direct access to the exterior of the rental unit or to an indoor swimming pool within the rental unit are equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.

(b) A licensee who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that it is not a violation of this subsection if:

1. The violation is due to the removal or modification of any safety feature required by paragraph (a) by a guest, a member of a guest's family, or a person on the premises of the rental unit with a guest's consent;

2. Such removal or modification occurred without the licensee's knowledge; and

3. The licensee corrects the violation within 45 days of receiving actual knowledge thereof.

(c) For the purposes of this subsection:

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88 1. "Swimming pool" has the same meaning as in s. 515.25.

89 2. "Vacation rental" has the same meaning as in s.
90 509.242(1)(c).

91 3. "Water body" means any water or body of water regularly
92 at a depth of at least 24 inches at its deepest point. However,
93 the term does not include underground water that cannot be
94 accessed by individuals from an access point located within 150
95 feet of the rental unit.

96 Section 3. This act shall take effect July 1, 2026.