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LEGISLATIVE ACTION

Senate

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House

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The Committee on Community Affairs (Steube) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 83.684, Florida Statutes, is created to  
read:

83.684 Florida Tenant Notification Act.-

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

(a) "Credit card theft" means an offense listed in s.

817.60.



251524

11 (b) "Crime involving violence" means an offense involving  
12 the use or threat of physical force or violence against an  
13 individual, including, but not limited to, a violent felony  
14 listed in s. 775.084(1)(c)1.

15 (c) "Employee" has the same meaning as in s. 440.02(15)(a).

16 (d) "Sexual battery" has the same meaning as in s. 794.011.

17 (2)(a) A landlord may require any of his or her current or  
18 potential employees who have or will have access to a premises  
19 to undergo a level 1 background screening pursuant to s. 435.03  
20 at the expense of the landlord.

21 (b) A current or potential employee who refuses to undergo  
22 the background screening required under paragraph (a) may be  
23 terminated or disqualified for employment by the landlord.

24 (3)(a) A rental agreement or rental agreement renewal must  
25 contain a prominent written disclosure expressly stating whether  
26 the landlord has required any of his or her current or potential  
27 employees to undergo the background screening required under  
28 paragraph (2)(a). If the landlord has required such screening,  
29 such disclosure must also state:

30 1. The date of the background screening.

31 2. The full name and job description of the current  
32 employee, or the full name and anticipated job description of  
33 the potential employee, whose background screening results  
34 indicated that he or she was convicted of:

35 a. Credit card theft;

36 b. A crime involving violence; or

37 c. Sexual battery.

38 (b) The written disclosure shall also contain a prominent  
39 acknowledgement of receipt that shall be signed by the tenant in



251524

40 the presence of a witness. A rental agreement or rental  
41 agreement renewal is not complete until such acknowledgement is  
42 signed. Such disclosure and acknowledgment shall be maintained  
43 by the landlord within the tenant's file and be made available  
44 to the tenant upon request.

45 (4) A tenant may, within 3 business days after completing a  
46 rental agreement or rental agreement renewal and upon written  
47 notice to the landlord, terminate such agreement or renewal and  
48 receive a refund of all deposit money without penalty if such  
49 agreement or renewal disclosed, and the tenant acknowledged,  
50 that any of the landlord's current or potential employees were  
51 convicted of an offense listed in subparagraph (3) (a)2.

52 (5) (a) A rental agreement or rental agreement renewal is  
53 void, and a tenant may, at any time after completing it and upon  
54 written notice to the landlord, terminate such agreement or  
55 renewal if:

56 1. It failed to disclose that any of the landlord's current  
57 employees were convicted of an offense listed in subparagraph  
58 (3) (a)2.; or

59 2. Within 5 business days after its completion, the  
60 landlord hired an employee who was convicted of an offense  
61 listed in subparagraph (3) (a)2.

62 (b) If a tenant terminates a rental agreement or rental  
63 agreement renewal pursuant to paragraph (a), he or she shall  
64 receive a refund of all deposit money without penalty,  
65 including, but not limited to, any early termination fees, and  
66 all further obligations of the tenant under such agreement or  
67 renewal are void. However, the tenant is responsible for any  
68 physical damage he or she caused to a premises.



251524

69 Section 2. This act shall take effect July 1, 2018.

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71 ===== T I T L E A M E N D M E N T =====

72 And the title is amended as follows:

73 Delete everything before the enacting clause  
74 and insert:

75 A bill to be entitled  
76 An act relating to residential tenancies; creating s.  
77 83.684, F.S.; providing definitions; authorizing  
78 landlords to require certain employees to undergo  
79 level 1 background screenings; providing for the  
80 termination or disqualification of certain employees;  
81 requiring a written disclosure and signed  
82 acknowledgement of receipt in rental agreements and  
83 rental agreement renewals; providing requirements for  
84 such disclosure and acknowledgement; authorizing  
85 tenants to terminate such agreements and renewals  
86 under certain circumstances; requiring deposit money  
87 to be refunded to tenants upon such termination;  
88 providing that tenants are responsible for any damage  
89 he or she caused to the premises; providing an  
90 effective date.