

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Conerly offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

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

7 83.471 Reusable tenant screening reports.-

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

9 (a)1. "Consumer report" means any written, oral, or other
10 communication of information by a consumer reporting agency
11 bearing on a consumer's credit worthiness, credit standing,
12 credit capacity, character, general reputation, personal
13 characteristics, or mode of living which is used or expected to

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14 be used or collected in whole or in part for the purpose of
15 servicing as a factor in establishing the consumer's eligibility
16 for credit or insurance to be used primarily for personal,
17 family, or household purposes; employment purposes; or any other
18 purpose authorized under 15 U.S.C. s. 1681b.

19 2. Except for the restrictions provided in 15 U.S.C. s.
20 1681a(d)(3), the term "consumer report" does not include:

21 a. Subject to 15 U.S.C. s. 1681s-3, any report containing
22 information solely as to transactions or experiences between the
23 consumer and the person making the report; communication of such
24 information among persons related by common ownership or
25 affiliated by corporate control; or communication of other
26 information among persons related by common ownership or
27 affiliated by corporate control, if it is clearly and
28 conspicuously disclosed to the consumer that the information may
29 be communicated among such persons and the consumer is given the
30 opportunity, before the time that the information is initially
31 communicated, to direct that such information not be
32 communicated among such persons;

33 b. Any authorization or approval of a specific extension
34 of credit directly or indirectly by the issuer of a credit card
35 or similar device;

36 c. Any report in which a person who has been requested by
37 a third party to make a specific extension of credit directly or
38 indirectly to a consumer conveys his or her decision with

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39 respect to such request, if the third party advises the consumer
40 of the name and address of the person to whom the request was
41 made, and such person makes the disclosures to the consumer
42 required under 15 U.S.C. s. 1681m; or

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

45 (b) "Consumer reporting agency" means any person who, for
46 monetary fees, dues, or on a cooperative nonprofit basis,
47 regularly engages in whole or in part in the practice of
48 assembling or evaluating consumer credit information or other
49 information on consumers for the purpose of furnishing consumer
50 reports to third parties, and which uses any means or facility
51 of interstate commerce for the purpose of preparing or
52 furnishing consumer reports.

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

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

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

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63 3. Is available to the landlord at no cost to access or
64 use.

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

69 (3) A reusable tenant screening report must include all of
70 the following information:

71 (a) The applicant's full name.

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

74 (c) Verification of the applicant's employment.

75 (d) The applicant's last known address.

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

79 (f) The date through which the information contained in
80 the report is current.

81 (4) If an applicant provides a reusable tenant screening
82 report to a landlord who accepts such reports, the landlord may
83 not charge the applicant a fee to access the report or an
84 application screening fee.

85 (5) This section does not:

86 (a) Affect any other applicable law related to the
87 consideration of criminal history information in housing; or

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

90 **Section 2. Subsection (5) of section 163.31771, Florida**
91 **Statutes, is renumbered as subsection (4), subsections (3) and**
92 **(4) and present subsection (5) are amended, paragraph (h) is**
93 **added to subsection (2), and new subsections (5) and (6) are**
94 **added to that section, to read:**

95 163.31771 Accessory dwelling units.—

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

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

100 (3) By December 1, 2025, a local government shall ~~may~~
101 adopt an ordinance to allow accessory dwelling units in any area
102 zoned for single-family residential use. Such ordinance shall
103 apply prospectively to accessory dwelling units approved after
104 the date the ordinance is adopted. Such ordinance may regulate
105 the permitting, construction, and use of an accessory dwelling
106 unit, but may not do any of the following:

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

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

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

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

121 (4)-(5) Each accessory dwelling unit allowed by an
122 ordinance adopted under this section which provides affordable
123 rental housing shall apply toward satisfying the affordable
124 housing component of the housing element in the local
125 government's comprehensive plan under s. 163.3177(6)(f).

126 (5) The owner of a property with an accessory dwelling
127 unit may not be denied a homestead exemption for those portions
128 of property on which the owner maintains a permanent residence
129 solely on the basis of the property containing an accessory
130 dwelling unit that is or may be rented to another person.

131 However, if the accessory dwelling unit is rented to another
132 person, the accessory dwelling unit must be assessed separately
133 from the homestead property and taxed according to its use.

134 (6) Notwithstanding subsections (1)-(5), a local
135 government may not adopt an ordinance to allow accessory
136 dwelling units within any area of critical state concern as

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137 designated in ss. 380.055, 380.0551, 380.0552, 380.0553, and
138 380.0555.

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

141 420.615 Affordable housing land donation density bonus
142 incentives.—

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

153 **Section 4. The Office of Program Policy Analysis and**
154 **Government Accountability (OPPAGA) shall evaluate the efficacy**
155 **of using mezzanine finance, or second-position short-term debt,**
156 **to stimulate the construction of owner-occupied housing that is**
157 **affordable as defined in s. 420.0004(3), Florida Statutes, in**
158 **this state. OPPAGA shall also evaluate the potential of tiny**
159 **homes in meeting the need for affordable housing in this state.**
160 **OPPAGA shall consult with the Florida Housing Finance**
161 **Corporation and the Shimberg Center for Housing Studies at the**

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162 University of Florida in conducting its evaluation. By December
163 31, 2026, OPPAGA shall submit a report of its findings to the
164 President of the Senate and the Speaker of the House of
165 Representatives. Such report must include recommendations for
166 the structuring of a model mezzanine finance program.

167 **Section 5. Subsection (10) of section 553.80, Florida**
168 **Statutes, is amended to read:**

169 553.80 Enforcement.—

170 (10) A single-family or two-family dwelling does not have
171 a change of occupancy as defined in the Florida Building Code
172 solely due to such dwelling's use as or conversion ~~that is~~
173 converted into:

174 (a) A certified recovery residence, as defined in s.
175 397.311, or a recovery residence, as defined in s. 397.311, that
176 has a charter from an entity recognized or sanctioned by
177 Congress; or

178 (b) A residence owned by a tax-exempt charitable
179 organization under s. 501(c)(3) of the Internal Revenue Code
180 whose stated corporate purpose relates to the support of people
181 who are living with a mental health disorder, which has no fewer
182 than two and no more than four bedrooms, is occupied by a group
183 or family of no more than six ambulatory adults living with a
184 mental health disorder, and has no more than two adults assigned
185 to any bedroom ~~does not have a change of occupancy as defined in~~
186 the Florida Building Code solely due to such conversion.

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

189 633.208 Minimum firesafety standards.-

190 (11) Notwithstanding subsection (8), a single-family or
191 two-family dwelling may not be reclassified for purposes of
192 enforcing the Florida Fire Prevention Code solely due to such
193 dwelling's use as or conversion into:

194 (a) ~~that is~~ A certified recovery residence, as defined in
195 s. 397.311, or ~~that is~~ a recovery residence, as defined in s.
196 397.311, that has a charter from an entity recognized or
197 sanctioned by Congress; or

198 (b) A residence owned by a tax-exempt charitable
199 organization under s. 501(c)(3) of the Internal Revenue Code
200 whose stated corporate purpose relates to the support of people
201 who are living with a mental health disorder, which has no fewer
202 than two and no more than four bedrooms, is occupied by a group
203 or family of no more than six ambulatory adults living with a
204 mental health disorder, and has no more than two adults assigned
205 to any bedroom ~~may not be reclassified for purposes of enforcing~~
206 ~~the Florida Fire Prevention Code solely due to such use.~~

207 **Section 7.** This act shall take effect July 1, 2025.
208

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210 **T I T L E A M E N D M E N T**

211 Remove everything before the enacting clause and insert:

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212 A bill to be entitled
213 An act relating to housing; creating s. 83.471, F.S.;
214 providing definitions; authorizing a landlord to
215 accept reusable tenant screening reports and require a
216 specified statement; requiring that certain
217 information be included in reusable tenant screening
218 reports; prohibiting a landlord from charging certain
219 fees to an applicant using a reusable tenant screening
220 report; providing applicability; amending s.
221 163.31771, F.S.; defining the term "primary dwelling
222 unit"; requiring, rather than authorizing, local
223 governments to adopt, by a specified date, an
224 ordinance to allow accessory dwelling units in certain
225 areas; requiring such ordinances to apply
226 prospectively; prohibiting such ordinances from
227 including certain requirements; removing a requirement
228 that an application for a building permit to construct
229 an accessory dwelling unit include a certain
230 affidavit; revising the accessory dwelling units that
231 apply toward satisfying a certain component of a local
232 government's comprehensive plan; specifying that
233 accessory dwelling units that provide affordable
234 rental housing shall apply towards satisfying a
235 certain component of a local government's
236 comprehensive plan; prohibiting the denial of a

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237 | homestead exemption for certain portions of property
238 | on a specified basis; requiring that a rented
239 | accessory dwelling unit be assessed separately from
240 | the homestead property and taxed according to its use;
241 | providing an exception; prohibiting local governments
242 | from adopting an ordinance to allow accessory dwelling
243 | units in areas of critical state concern; amending s.
244 | 420.615, F.S.; authorizing a local government to
245 | provide a density bonus incentive to landowners who
246 | make certain real property donations to assist in the
247 | provision of affordable housing for military families;
248 | requiring the Office of Program Policy Analysis and
249 | Government Accountability to evaluate the efficacy of
250 | using mezzanine finance and the potential of tiny
251 | homes for specified purposes; requiring the office to
252 | consult with certain entities; requiring the office to
253 | submit a certain report to the Legislature by a
254 | specified date; amending s. 553.80, F.S.; providing
255 | that the use of certain dwellings as, or the
256 | conversion of such dwellings into, certain residences
257 | is not a change in occupancy as defined in the Florida
258 | Building Code; amending s. 633.208, F.S.; providing
259 | that the use of certain dwellings as, or the
260 | conversion of such dwellings into, certain residences
261 | does not require the reclassification of such

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262 dwellings for purposes of enforcing the Florida Fire
263 Prevention Code; providing an effective date.

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