

1 A bill to be entitled
2 An act relating to housing; creating s. 83.471, F.S.;
3 providing definitions; authorizing a landlord to
4 accept reusable tenant screening reports and require a
5 specified statement; requiring that certain
6 information be included in reusable tenant screening
7 reports; prohibiting a landlord from charging certain
8 fees to an applicant using a reusable tenant screening
9 report; providing applicability; amending s.
10 163.31771, F.S.; defining the term "primary dwelling
11 unit"; requiring, rather than authorizing, local
12 governments to adopt, by a specified date, an
13 ordinance to allow accessory dwelling units in certain
14 areas; requiring such ordinances to apply
15 prospectively; prohibiting such ordinances from
16 including certain requirements; removing a requirement
17 that an application for a building permit to construct
18 an accessory dwelling unit include a certain
19 affidavit; revising the accessory dwelling units that
20 apply toward satisfying a certain component of a local
21 government's comprehensive plan; specifying that
22 accessory dwelling units that provide affordable
23 rental housing shall apply towards satisfying a
24 certain component of a local government's
25 comprehensive plan; prohibiting the denial of a

26 homestead exemption for certain portions of property
27 on a specified basis; requiring that a rented
28 accessory dwelling unit be assessed separately from
29 the homestead property and taxed according to its use;
30 providing an exception; prohibiting local governments
31 from adopting an ordinance to allow accessory dwelling
32 units in areas of critical state concern; amending s.
33 420.615, F.S.; authorizing a local government to
34 provide a density bonus incentive to landowners who
35 make certain real property donations to assist in the
36 provision of affordable housing for military families;
37 requiring the Office of Program Policy Analysis and
38 Government Accountability to evaluate the efficacy of
39 using mezzanine finance and the potential of tiny
40 homes for specified purposes; requiring the office to
41 consult with certain entities; requiring the office to
42 submit a certain report to the Legislature by a
43 specified date; amending s. 553.80, F.S.; providing
44 that the use of certain dwellings as, or the
45 conversion of such dwellings into, certain residences
46 is not a change in occupancy as defined in the Florida
47 Building Code; amending s. 633.208, F.S.; providing
48 that the use of certain dwellings as, or the
49 conversion of such dwellings into, certain residences
50 does not require the reclassification of such

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

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

55
56 **Section 1. Section 83.471, Florida Statutes, is created to**
57 **read:**

58 83.471 Reusable tenant screening reports.-

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

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

70 2. Except for the restrictions provided in 15 U.S.C. s.
71 1681a(d)(3), the term "consumer report" does not include:

72 a. Subject to 15 U.S.C. s. 1681s-3, any report containing
73 information solely as to transactions or experiences between the
74 consumer and the person making the report; communication of such
75 information among persons related by common ownership or

76 affiliated by corporate control; or communication of other
77 information among persons related by common ownership or
78 affiliated by corporate control, if it is clearly and
79 conspicuously disclosed to the consumer that the information may
80 be communicated among such persons and the consumer is given the
81 opportunity, before the time that the information is initially
82 communicated, to direct that such information not be
83 communicated among such persons;

84 b. Any authorization or approval of a specific extension
85 of credit directly or indirectly by the issuer of a credit card
86 or similar device;

87 c. Any report in which a person who has been requested by
88 a third party to make a specific extension of credit directly or
89 indirectly to a consumer conveys his or her decision with
90 respect to such request, if the third party advises the consumer
91 of the name and address of the person to whom the request was
92 made, and such person makes the disclosures to the consumer
93 required under 15 U.S.C. s. 1681m; or

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

96 (b) "Consumer reporting agency" means any person who, for
97 monetary fees, dues, or on a cooperative nonprofit basis,
98 regularly engages in whole or in part in the practice of
99 assembling or evaluating consumer credit information or other
100 information on consumers for the purpose of furnishing consumer

101 reports to third parties, and which uses any means or facility
102 of interstate commerce for the purpose of preparing or
103 furnishing consumer reports.

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

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

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

114 3. Is available to the landlord at no cost to access or
115 use.

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

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

122 (a) The applicant's full name.

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

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

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

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

130 (f) The date through which the information contained in
131 the report is current.

132 (4) If an applicant provides a reusable tenant screening
133 report to a landlord who accepts such reports, the landlord may
134 not charge the applicant a fee to access the report or an
135 application screening fee.

136 (5) This section does not:

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

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

141 **Section 2. Subsection (5) of section 163.31771, Florida**
142 **Statutes, is renumbered as subsection (4), subsections (3) and**
143 **(4) and present subsection (5) are amended, paragraph (h) is**
144 **added to subsection (2), and new subsections (5) and (6) are**
145 **added to that section, to read:**

146 163.31771 Accessory dwelling units.—

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

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

151 (3) By December 1, 2025, a local government shall ~~may~~
152 adopt an ordinance to allow accessory dwelling units in any area
153 zoned for single-family residential use. Such ordinance shall
154 apply prospectively to accessory dwelling units approved after
155 the date the ordinance is adopted. Such ordinance may regulate
156 the permitting, construction, and use of an accessory dwelling
157 unit, but may not do any of the following:

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

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

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

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

172 (4)(5) Each accessory dwelling unit allowed by an
173 ordinance adopted under this section which provides affordable
174 rental housing shall apply toward satisfying the affordable
175 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.

(6) Notwithstanding subsections (1)-(5), a local government may not adopt an ordinance to allow accessory dwelling units within any area of critical state concern as designated in ss. 380.055, 380.0551, 380.0552, 380.0553, and 380.0555.

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, 2026, 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. Subsection (10) of section 553.80, Florida Statutes, is amended to read:

553.80 Enforcement.—

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

(a) A certified recovery residence, as defined in s.

397.311, or a recovery residence, as defined in s. 397.311, that has a charter from an entity recognized or sanctioned by Congress; or

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

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

633.208 Minimum firesafety standards.—

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

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

(b) A residence owned by a tax-exempt charitable organization under s. 501(c)(3) of the Internal Revenue Code

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251 whose stated corporate purpose relates to the support of people
252 who are living with a mental health disorder, which has no fewer
253 than two and no more than four bedrooms, is occupied by a group
254 or family of no more than six ambulatory adults living with a
255 mental health disorder, and has no more than two adults assigned
256 to any bedroom ~~may not be reclassified for purposes of enforcing~~
257 ~~the Florida Fire Prevention Code solely due to such use.~~

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