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1                   A bill to be entitled  
2           An act relating to water safety requirements for the  
3           rental of residential and vacation properties;  
4           amending s. 83.51, F.S.; requiring a landlord to equip  
5           certain rental properties with specified water safety  
6           features; providing criminal penalties; providing an  
7           exception; defining the terms "swimming pool" and  
8           "water body"; conforming a provision to changes made  
9           by the act; providing applicability; amending s.  
10          509.211, F.S.; requiring a public lodging  
11          establishment licensed as a vacation rental to equip  
12          certain rental units with specified water safety  
13          features; authorizing the Division of Hotels and  
14          Restaurants to suspend or revoke the license and fine  
15          the licensee for noncompliance; providing criminal  
16          penalties; providing an exception; defining terms;  
17          requiring certain public lodging establishments to  
18          file a certificate of compliance upon licensure and  
19          renewal; requiring the division to adopt rules;  
20          providing an effective date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

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24           Section 1. Present subsection (4) of section 83.51, Florida  
25           Statutes, is redesignated as subsection (5) and amended, and a  
26           new subsection (4) and subsection (6) are added to that section,  
27           to read:

28           83.51 Landlord's obligation to maintain premises.—

29           (4) (a) At all times during a tenancy, if a water body that

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30 is not a swimming pool exists within 150 feet of the dwelling  
31 unit, the landlord must ensure that either:

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

36 2. All doors providing direct access to the exterior of the  
37 dwelling unit are equipped with a self-closing, self-latching  
38 device with a release mechanism placed no lower than 54 inches  
39 above the floor.

40 (b) If the dwelling unit has a swimming pool on its  
41 premises, the landlord must ensure that the dwelling unit is  
42 equipped with at least one pool safety feature as described in  
43 s. 515.27(1).

44 (c) A landlord who violates this subsection commits a  
45 misdemeanor of the second degree, punishable as provided in s.  
46 775.082 or s. 775.083, except that it is not a violation of this  
47 subsection if:

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

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

54 3. The landlord corrects the violation within 45 days after  
55 receiving actual knowledge thereof.

56 (d) For the purposes of this subsection, the term:

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

58 2. "Water body" means any water or body of water regularly

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59 at a depth of at least 24 inches at its deepest point. The term  
60 does not include underground water that cannot be accessed by  
61 individuals from an access point located within 150 feet of the  
62 dwelling unit.

63 (5)-(4) The landlord is not responsible to the tenant under  
64 this section for conditions created or caused by the negligent  
65 or wrongful act or omission of the tenant, a member of the  
66 tenant's family, or a ~~other~~ person on the premises with the  
67 tenant's consent, including the removal or modification of any  
68 safety features required under subsection (4) by the tenant, a  
69 member of the tenant's family, or a person on the premises with  
70 the tenant's consent.

71 (6) The requirements of subsection (4) do not apply to a  
72 nontransient apartment as defined in s. 509.242(1)(d).

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

75 509.211 Safety regulations.—

76 (6) (a) If a public lodging establishment licensed as a  
77 vacation rental has a water body within 150 feet of the rental  
78 unit which is not a swimming pool, the licensee must ensure  
79 that:

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

83 2. All doors providing direct access to the exterior of the  
84 rental unit are equipped with a self-closing, self-latching  
85 device with a release mechanism placed no lower than 54 inches  
86 above the floor.

87 (b) If a public lodging establishment licensed as a

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88 vacation rental has a swimming pool on its premises, the  
89 licensee must ensure that the rental unit is equipped with at  
90 least one pool safety feature as described in s. 515.27(1).

91 (c) The division may suspend or revoke the license and fine  
92 the licensee for noncompliance with this subsection.

93 (d) A licensee who violates this subsection commits a  
94 misdemeanor of the second degree, punishable as provided in s.  
95 775.082 or s. 775.083, except that it is not a violation of this  
96 subsection if:

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

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

103 3. The licensee corrects the violation within 45 days after  
104 receiving actual knowledge thereof.

105 (e) For the purposes of this subsection, the term:

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

107 2. "Vacation rental" has the same meaning as in s.  
108 509.242(1)(c).

109 3. "Water body" means any water or body of water regularly  
110 at a depth of at least 24 inches at its deepest point. The term  
111 does not include underground water that cannot be accessed by  
112 individuals from an access point located within 150 feet of the  
113 rental unit.

114 (f) A public lodging establishment that is licensed as a  
115 vacation rental which has a water body within 150 feet of the  
116 rental unit or a swimming pool located on the premises must file

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117 a certificate upon licensure and renewal stating that the rental  
118 unit complies with the requirements of this subsection.

119 (g) The division shall adopt rules to implement this  
120 subsection.

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