



INDUSTRY BULLETIN

for Florida's Lodging Industry



SUBJECT: Changes to Chapter 509, Florida Statutes

Bulletin 2022-01

July 7, 2022

Changes to Chapter 509 of the Florida Statutes were approved during the 2022 legislative session. These changes will take effect as follows:

Effective on **June 27, 2022:**

- New section 509.098 prohibits an operator of a public lodging establishment from offering an hourly rate for an accommodation. This prohibition does not apply to an hourly rate charged as a late checkout fee.

Effective on **January 1, 2023:**

- New subsection 509.211(5) requires each public lodging establishment licensed as a nontransient apartment or transient apartment to do the following:
 - 1) Require that each employee of the licensee undergo a background check as a condition of employment. The background check must be conducted in accordance to section 83.515, Florida Statutes. Section 83.515 requires the background check to:
 - Be conducted by a consumer reporting agency in accordance with the federal Fair Credit Reporting Act.
 - Include a screening of criminal records and sexual predator and sexual offender registries of all 50 states and the District of Columbia.
 - 2) Maintain a log accounting for the issuance and return of all keys for each dwelling unit.
 - 3) Establish policies and procedures for the issuance and return of dwelling unit keys and regulating the storage of, and access to, unissued keys.
 - 4) Provide upon request during the division's annual inspection proof of compliance with this section.

Operators may call the Customer Contact Center at 850-487-1395 or contact local District Offices for questions or additional information. Locate your District Office at <http://www.myfloridalicense.com/DBPR/hotels-restaurants/division-offices/>

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Ron DeSantis, Governor

Division of Hotels and Restaurants

Melanie S. Griffin, Secretary

www.MyFloridaLicense.com/DBPR/hotels-restaurants/ — Phone: 850.487.1395