



# INDUSTRY BULLETIN

for Florida's Lodging Industry



**SUBJECT: Changes to Chapter 509, Florida Statutes – “Miya’s Law”**

Bulletin 2023-01

February 1, 2023

Changes to Chapter 509 of the Florida Statutes were approved during the 2022 legislative session. These requirements are collectively known as “Miya’s Law”. These changes became effective as follows:

Effective **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.
  - **The prohibition of hourly rates is intended to curtail human trafficking and prostitution.**
  - An hourly rate is any rate that is measured and calculated on the duration of the stay and that begins upon check-in rather than adhering to a prescheduled advertised rate or a daily/nightly rate.
  - Public lodging establishments must strictly adhere to the sanitation and safety requirements outlined in Chapter 509, Florida Statutes & Florida Administrative Code Rule 61C. These include the requirement that a public lodging establishment ensure that adequate time is taken to properly clean and sanitize each guest room prior to making a room available again to future guests.

Effective **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

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