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1  
2 An act relating to certified recovery residences;  
3 amending s. 397.487, F.S.; requiring, by a specified  
4 date, the governing body of each county or  
5 municipality to adopt an ordinance to establish  
6 procedures for the review and approval of certified  
7 recovery residences; requiring that such ordinance  
8 include a process for requesting reasonable  
9 accommodations from any local land use regulation that  
10 serves to prohibit the establishment of a certified  
11 recovery residence; specifying criteria for the  
12 ordinance; providing that the ordinance may establish  
13 additional requirements for the review and approval of  
14 reasonable accommodation requests; requiring that such  
15 additional requirements be consistent with federal law  
16 and not conflict with the act; prohibiting the  
17 ordinance from requiring public hearings beyond the  
18 minimum required by law; providing that the ordinance  
19 may include provisions for revocation of a granted  
20 accommodation for cause, if the accommodation is not  
21 reinstated within a specified timeframe; providing  
22 construction; amending s. 397.4871, F.S.; providing  
23 that the personnel-to-resident ratio for a certified  
24 recovery residence must be met only when the residents  
25 are at the residence; providing that a certified  
26 recovery residence administrator for Level IV  
27 certified recovery residences which maintains a  
28 specified personnel-to-patient ratio has a limitation  
29 on the number of residents it may manage; providing an

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30 effective date.

31  
32 Be It Enacted by the Legislature of the State of Florida:

33  
34 Section 1. Subsections (15) and (16) are added to section  
35 397.487, Florida Statutes, to read:

36 397.487 Voluntary certification of recovery residences.—

37 (15) (a) By January 1, 2026, the governing body of each  
38 county or municipality shall adopt an ordinance establishing  
39 procedures for the review and approval of certified recovery  
40 residences within its jurisdiction. The ordinance must include a  
41 process for requesting reasonable accommodations from any local  
42 land use regulation that serves to prohibit the establishment of  
43 a certified recovery residence.

44 (b) At a minimum, the ordinance must:

45 1. Be consistent with the Fair Housing Amendments Act of  
46 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans  
47 with Disabilities Act, 42 U.S.C. ss. 12131 et seq.

48 2. Establish a written application process for requesting a  
49 reasonable accommodation for the establishment of a certified  
50 recovery residence, which application must be submitted to the  
51 appropriate local government office.

52 3. Require the local government to date-stamp each  
53 application upon receipt. If additional information is required,  
54 the local government must notify the applicant in writing within  
55 the first 30 days after receipt of the application and allow the  
56 applicant at least 30 days to respond.

57 4. Require the local government to issue a final written  
58 determination on the application within 60 days after receipt of

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59 a completed application. The determination must:

60 a. Approve the request in whole or in part, with or without  
61 conditions; or

62 b. Deny the request, stating with specificity the  
63 objective, evidence-based reasons for denial and identifying any  
64 deficiencies or actions necessary for reconsideration.

65 5. Provide that if a final written determination is not  
66 issued within 60 days after receipt of a completed application,  
67 the request is deemed approved unless the parties agree in  
68 writing to a reasonable extension of time.

69 6. Require that the application include, at a minimum:

70 a. The name and contact information of the applicant or the  
71 applicant's authorized representative;

72 b. The property address and parcel identification number;  
73 and

74 c. A description of the accommodation requested and the  
75 specific regulation or policy from which relief is sought.

76 (c) The ordinance may establish additional requirements for  
77 the review or approval of reasonable accommodation requests for  
78 establishing a certified recovery residence, provided such  
79 requirements are consistent with federal law and do not conflict  
80 with this subsection.

81 (d) The ordinance may not require public hearings beyond  
82 the minimum required by law to grant the requested  
83 accommodation.

84 (e) The ordinance may include provisions for the revocation  
85 of a granted accommodation of a certified recovery residence for  
86 cause, including, but not limited to, a violation of the  
87 conditions of approval or the lapse, revocation, or failure to

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88 maintain certification or licensure required under this section,  
89 if not reinstated within 180 days.

90 (f) The ordinance and establishment of a reasonable  
91 accommodation process does not relieve the local government from  
92 its obligations under the Fair Housing Amendments Act of 1988,  
93 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with  
94 Disabilities Act, 42 U.S.C. ss. 12131 et seq. The regulation for  
95 which the applicant is seeking a reasonable accommodation must  
96 not facially discriminate against or otherwise disparately  
97 impact the applicant.

98 (16) The application of this section does not supersede any  
99 current or future declaration or declaration of condominium  
100 adopted pursuant to chapter 718; any cooperative document  
101 adopted pursuant to chapter 719; or any declaration or  
102 declaration of covenant adopted pursuant to chapter 720.

103 Section 2. Paragraph (c) of subsection (8) of section  
104 397.4871, Florida Statutes, is amended to read:

105 397.4871 Recovery residence administrator certification.—

106 (8)

107 (c) Notwithstanding paragraph (b), a Level IV certified  
108 recovery residence operating as community housing as defined in  
109 s. 397.311(9), which residence is actively managed by a  
110 certified recovery residence administrator approved for 100  
111 residents under this section and is wholly owned or controlled  
112 by a licensed service provider, may:

113 1. Actively manage up to 150 residents so long as the  
114 licensed service provider maintains a service provider  
115 personnel-to-patient ratio of 1 to 8 and maintains onsite  
116 supervision at the residence during times when residents are at

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117 ~~the residence 24 hours a day, 7 days a week, with a personnel-~~  
118 ~~to-resident ratio of 1 to 10.~~

119 2. Actively manage up to 300 residents, so long as the  
120 licensed service provider maintains a service provider  
121 personnel-to-patient ratio of 1 to 8 and maintains onsite  
122 supervision at the residence during times when residents are at  
123 the residence with a personnel-to-resident ratio of 1 to 6.

124  
125 A certified recovery residence administrator who has been  
126 removed by a certified recovery residence due to termination,  
127 resignation, or any other reason may not continue to actively  
128 manage more than 50 residents for another service provider or  
129 certified recovery residence without being approved by the  
130 credentialing entity.

131 Section 3. This act shall take effect July 1, 2025.