

1 A bill to be entitled
 2 An act relating to substance abuse treatment; amending
 3 s. 212.02, F.S.; eliminating certain tax liabilities
 4 imposed on certified recovery residences; amending s.
 5 397.311, F.S.; providing the levels of care at
 6 certified recovery residences and their respective
 7 levels of care for residents; amending s. 397.335,
 8 F.S.; revising the membership of the Statewide Council
 9 on Opioid Abatement to include additional members;
 10 providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Paragraph (k) is added to subsection (10) of
 15 section 212.02, Florida Statutes, to read:

16 212.02 Definitions.—The following terms and phrases when
 17 used in this chapter have the meanings ascribed to them in this
 18 section, except where the context clearly indicates a different
 19 meaning:

20 (10) "Lease," "let," or "rental" means leasing or renting
 21 of living quarters or sleeping or housekeeping accommodations in
 22 hotels, apartment houses, roominghouses, tourist or trailer
 23 camps and real property, the same being defined as follows:

24 (k) For purposes of this chapter, recovery residences
 25 certified pursuant to s. 397.487 which rent properties are not

26 subject to any taxes imposed on transient accommodations,
 27 including taxes imposed under s. 212.03; any locally imposed
 28 discretionary sales surtax or any convention development tax
 29 imposed under s. 212.0305; any tourist development tax imposed
 30 under s. 125.0104; or any tourist impact tax imposed under s.
 31 125.0108.

32 Section 2. Subsection (5) of section 397.311, Florida
 33 Statutes, is amended and a new subsection(9)is added to that
 34 section to read:

35 397.311 Definitions.—As used in this chapter, except part
 36 VIII, the term:

37 (5) "Certified recovery residence" means a recovery
 38 residence that holds a valid certificate of compliance and is
 39 actively managed by a certified recovery residence
 40 administrator.

41 (a) Level I certified recovery residences that house
 42 individuals in recovery who are post-treatment, with a minimum
 43 of 9 months of sobriety. Level I certified homes are
 44 democratically run by the members who reside in the home.

45 (b) Level II certified recovery residences encompass the
 46 traditional perspectives of sober living homes. There is
 47 oversight from a house manager with lived experience, typically
 48 a senior resident. Residents are expected to follow rules
 49 outlined in a resident handbook, pay dues, if applicable, and
 50 work toward achieving milestones within a chosen recovery path.

51 (c) Level III certified recovery residences offer higher
52 supervision by staff with formal training to ensure resident
53 accountability. These homes offer peer-support services and are
54 staffed 24 hours a day. Clinical services are not performed at
55 the residence. The services offered may include, but are not
56 limited to, life skill mentoring, recovery planning, and meal
57 preparation. This support structure is most appropriate for
58 residents who require a more structured environment during early
59 recovery from addiction.

60 (d) A Level IV certified recovery residence are dwellings
61 offered, referred to, or provided by, a licensed service
62 provider to its patients who are required to reside at the
63 residence while receiving intensive outpatient and higher levels
64 of outpatient care. Level IV recovery residences are staffed 24
65 hours a day and combine outpatient licensable services with
66 recovery residential living. Residents are required to follow a
67 treatment plan, attend group and individual sessions, in
68 addition to developing a recovery plan within the social model
69 of recovery spectrum. No clinical services are provided at the
70 residence and all licensable services are provided off-site.

71 (9) "Community housing" means a certified recovery
72 residence offered, referred to, or provided by a licensed
73 service provider that provides housing to its patients who are
74 required to reside at the residence while receiving intensive
75 outpatient and higher levels of outpatient care. A certified

76 recovery residence used by a licensed service provider that
 77 meets the definition of community housing shall be classified as
 78 a Level IV level of support, as described in subsection (5).

79 Section 3. Paragraph (a) of subsection (2) of section
 80 397.335, Florida Statutes, is amended to read:

81 397.335 Statewide Council on Opioid Abatement.—

82 (2) MEMBERSHIP.—

83 (a) Notwithstanding s. 20.052, the council shall be
 84 composed of the following members:

85 1. The Attorney General, or his or her designee, who shall
 86 serve as chair.

87 2. The secretary of the department, or his or her
 88 designee, who shall serve as vice chair.

89 3. One member appointed by the Governor.

90 4. One member appointed by the President of the Senate.

91 5. One member appointed by the Speaker of the House of
 92 Representatives.

93 6. Two members appointed by the Florida League of Cities
 94 who are commissioners or mayors of municipalities. One member
 95 shall be from a municipality with a population of fewer than
 96 50,000 people.

97 7. Two members appointed by or through the Florida
 98 Association of Counties who are county commissioners or mayors.
 99 One member shall be appointed from a county with a population of
 100 fewer than 200,000, and one member shall be appointed from a

101 county with a population of more than 200,000.

102 8. One member who is either a county commissioner or
 103 county mayor appointed by the Florida Association of Counties or
 104 who is a commissioner or mayor of a municipality appointed by
 105 the Florida League of Cities. The Florida Association of
 106 Counties shall appoint such member for the initial term, and
 107 future appointments must alternate between a member appointed by
 108 the Florida League of Cities and a member appointed by the
 109 Florida Association of Counties.

110 9. Two members appointed by or through the State Surgeon
 111 General. One shall be a staff member from the department who has
 112 experience coordinating state and local efforts to abate the
 113 opioid epidemic, and one shall be a licensed physician who is
 114 board certified in both addiction medicine and psychiatry.

115 10. One member appointed by the Florida Association of
 116 Recovery Residences.

117 11. One member appointed by the Florida Association of EMS
 118 Medical Directors.

119 12. One member appointed by the Florida Society of
 120 Addiction Medicine who is a medical doctor board certified in
 121 addiction medicine.

122 13. One member appointed by the Florida Behavioral Health
 123 Association.

124 14. One member appointed by Floridians for Recovery.

125 15. One member appointed by the Florida Certification

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126 | Board.

127 | 16. One member appointed by the Florida Association of

128 | Managing Entities.

129 | Section 4. This act shall take effect July 1, 2024.