

CALL TO ACTION ON SENATE BILL 1732 – 2/21/2022

BACKGROUND

Author: [Senator Randolph Bracy \(D\)](#)

Tallahassee: 850-487-5011 or Orlando District Office: 407-297-2045

Bracy.Randolph.web@fl.senate.gov and Bracy.Randolph@fl.senate.gov

Committees reviewing the bill: Senate Judiciary, Community Affairs, Rules

Status: Introduced 1/18/2022 – SJ-149

Effective Date (if passed): 07/01/2022

Statute (if passed): 83.555

In summary:

- Creates new statute 83.555 “Landlord immunity from liability for leasing to persons with certain criminal records.”
- While this bill was intended to encourage landlords to rent to persons with past criminal offense, it appears to do the opposite by listing several offenses that are excluded.
- The list of excluded offenses leaves one to wonder “what offenses WOULD actually be allowable?”
- As written, this bill would discourage landlords from renting to persons with MOST criminal offenses.
- As written, it would cause landlords to avoid renting to ANY persons with criminal offenses.
- The sponsor and the members of each committee need to provide an explanation of this bill, and supporting data.

WHAT TO DO

Take action TODAY. Call the bill sponsor and Committee members.

If calling: State your name and let them know if you are a constituent (or supporter, taxpayer) and you are asking them to OPPOSE SB 1732. (Reminder: If you are a person required to register, it is not relevant and no need to state it) . Call the sponsor for an explanation of the bill or ask that he withdraw this bill for reasons above, or see talking points. Call members of the committees and ask that, should this bill be presented, they should vote no, for reasons above or see talking points.

If calling after hours: State your name, phone number, and whether you are a constituent (or a taxpayer), then state your message; be brief, clear and concise. “I am calling about Senate Bill 1732. Please vote no because this bill will prevent people with most criminal offenses from renting stabile housing. While that may have not been the intent of the bill, the exclusions are there and damaging to families that are trying to rebuild lives in find stabile housing.”

If Emailing - Put “Oppose SB 1732” in the Subject line. Be sure to include your name and phone number. Without identification, your message may be deleted. State the purpose of the email and request a written response within 10 days. (you may get a canned response and that is okay because it is now public record that there was opposition on the Bill. There are TWO email addresses for each legislator, one with “web” and one without. Some legislators prefer one over the other so include BOTH on your emails. Example: Bracy.Randolph.web@fl.senate.gov and Bracy.Randolph@fl.senate.gov

WHO TO CALL

Senate Committee on Judiciary (JU)

Senator Danny Burgess (R)-Chair	(850) 487-5020	burgess.danny@flsenate.gov
Senator Audrey Gibson (D)-Vice Chair	(850) 487-5006	Gibson.Audrey@flsenate.gov
Senator Dennis Baxley (R)	(850) 487-5012	Baxley.Dennis@flsenate.gov
Senator Jim Boyd (R)	(850) 487-5021	boyd.jim@flsenate.gov
Senator Jennifer Bradley (R)	(850) 487-5005	Bradley.jennifer@flsenate.gov
Senator Doug Broxson (R)	(850) 487-5001	Broxson.Doug@flsenate.gov
Senator Debbie Mayfield (R)	(850) 487-5017	Mayfield.Debbie@flsenate.gov
Senator Tina Scott Polsky (D)	(850) 487-5029	polsky.scott@flsenate.gov
Senator Ray Wesley Rodrigues (R)	(850) 487-5027	rodrigues.ray@flsenate.gov
Senator Darryl Ervin Rouson (D)	(850) 487-5019	Rouson.Darryl@flsenate.gov

Senate Committee on Community Affairs (CA)

<u>Senator Jennifer Bradley (R)-Chair</u>	(850) 487-5005	Bradley.jennifer@flsenate.gov
<u>Senator Ileana Garcia (R)-Vice Chair</u>	(850) 487-5037	garcia.ileana@flsenate.gov
<u>Senator Dennis Baxley (R)</u>	(850) 487-5012	Baxley.Dennis@flsenate.gov
<u>Senator Jason Brodeur (R)</u>	(850) 487-5009	Brodeur.jason@flsenate.gov
<u>Senator Janet Cruz (D)</u>	(850) 487-5018	cruz.janet@flsenate.gov
<u>Senator Gary M. Farmer, Jr. (D)</u>	(850) 487-5034	Farmer.Gary@flsenate.gov
<u>Senator Ed Hooper (R)</u>	(850) 487-5016	Hooper.Ed@flsenate.gov
<u>Senator Travis Hutson (R)</u>	(850) 487-5007	Hutson.Travis@flsenate.gov
<u>Senator Tina Scott Polsky (D)</u>	(850) 487-5029	polsky.scott@flsenate.gov

Senate Committee on Regulated Industries (RI)

<u>Senator Travis Hutson (R)-Chair</u>	(850) 487-5007	Hutson.Travis@flsenate.gov
<u>Senator Lauren Book (D)-Vice Chair</u>	(850) 487-5032	Book.Lauren@flsenate.gov
<u>Senator Ben Albritton (R)</u>	(850) 487-5026	albritton.ben@flsenate.gov
<u>Senator Joe Gruters (R)</u>	(850) 487-5023	gruters.joe@flsenate.gov
<u>Senator Ed Hooper (R)</u>	(850) 487-5016	Hooper.Ed@flsenate.gov
<u>Senator Kathleen Passidomo (R)</u>	(850) 487-5028	Passidomo.Kathleen@flsenate.gov
<u>Senator Ray Wesley Rodrigues (R)</u>	(850) 487-5027	rodrigues.ray@flsenate.gov
<u>Senator Darryl Ervin Rouson (D)</u>	(850) 487-5019	Rouson.Darryl@flsenate.gov
<u>Senator Linda Stewart (D)</u>	(850) 487-5013	Stewart.Linda@flsenate.gov

WHAT TO SAY

Talking Points to tell them:

1. If the bill has so many exceptions, then who benefits from it or what offenses are allowable? Will a landlord understand these statutes, or would it just be 'safer' for the landlord to avoid renting to any person with a past criminal offense? [For your information, here are the offenses:
 - Section 777.04, relating to criminal attempts, solicitation, and conspiracy;
 - Section 782.04, relating to murder;
 - Section 787.01, relating to kidnapping;
 - Section 787.06, relating to human trafficking;
 - Section 794.011, relating to sexual battery;
 - Section 796.07(2)(f), relating to soliciting, inducing, enticing, or procuring another person to commit prostitution, lewdness, or assignation.
 - Section 810.02, relating to burglary – Example of what you might say: *"What kind of burglary? Breaking and Entering? Stealing something off someone's front porch? There are no specifics,. Most small landlords are not attorneys or even have attorneys. I have no idea (as a landlord) what they're talking about. When I read this, I ask myself "What kind of former burglar IS acceptable to rent to?"*
 - Section 812.13(2)(a) or (b), relating to robbery while carrying a weapon;
 - Section 827.03, relating to abuse, aggravated abuse, and neglect of a child;
 - Section 893.13(1)(c), (d), (e), (f), or (h), relating to enhanced penalties for selling, manufacturing, delivering controlled substances;
 - The tenant is required to register as a sexual offender under s. 943.0435; and The landlord, manager, or agent knew or **should have reasonably known of the conviction, finding, or plea**. Example of what you might say: *What does "should have known" mean? It's vague. How **should** the landlord have known? How is that determined? What if the renter is from another state?"*
2. Bills like SB 1732 actually increase recidivism for citizens who have served their time for their crime and are trying to reintegrate into their community and lead law-abiding lives.
3. Makes it difficult for people to reintegrate into society by denying them decent housing and economic opportunity.
4. Harms not only people who have served their time, but also harms the families of these people who are not given an opportunity to move to a better, safer neighborhood because Landlords will be afraid to rent to them.

5. There is no evidence or research in the bill showing why certain offenses were excluded.
6. Providing stable housing should apply to all returning citizens who have served their time.
7. Bills such as SB 1732 “Legislate people into homelessness.”
8. Keeping families together combined with the emotional support provided by families for people who have been convicted of a crime increases public safety because it helps with that citizen’s rehabilitation.
9. That family support can make the difference between a successful, productive, contributing member of the community and recidivism. Passing this bill making it more difficult for people to obtain housing will have the opposite effect by keeping families apart.
10. Legislating people into homelessness increases crime and decreases public safety.
11. Passage of this law does not increase public safety. It is making it difficult for citizens who have non-contact offenses or who were convicted as juveniles to have access to housing.
12. This bill is just a “catch all” for registered citizens. It does not distinguish between the level/severity of the convictions like many other sections of the bill. Since the Florida registry is not a tiered system, it treats a 15 year old person who was caught having consensual sex with another 15 year old, and who now has to register, exactly the same way as it treats a person who committed a violent sexual offense.
13. This bill deprives families of people whose loved ones are not a threat to public safety a chance at decent housing by making landlords afraid to rent to them because one family member has to register.
14. This bill is an attempt to dissuade certain citizens who have completed their sentences from staying in or returning to Florida. While passage would make it more difficult, it will not stop these citizens who want to return to be near their loved ones. They have a right to return to their families. This bill should not discriminate/exclude anyone.

LINKS

<https://www.flsenate.gov/Session/Bill/2022/1732/BillText/Filed/PDF>

<https://www.flsenate.gov/Session/Bill/2022/1732/BillText/Filed/HTML>