

By Senator Bracy

11-01608-17

20171186__

1 A bill to be entitled
2 An act relating to homeowners' associations; amending
3 s. 720.306, F.S.; specifying requirements for amending
4 a homeowners' association declaration; providing that
5 nonmaterial errors or omissions do not invalidate a
6 properly adopted amendment; providing that an
7 amendment to a recorded governing document is
8 effective when recorded; providing that an amendment
9 restricting a parcel owner's ability to rent his or
10 her property applies only to certain parcel owners;
11 providing an effective date.

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

14
15 Section 1. Present paragraph (d) of subsection (1) of
16 section 720.306, Florida Statutes, is redesignated as paragraph
17 (h), and new paragraphs (d) through (g) are added to that
18 subsection, to read:

19 720.306 Meetings of members; voting and election
20 procedures; amendments.—

21 (1) QUORUM; AMENDMENTS.—

22 (d) A provision of the declaration may not be amended by
23 reference to its title or number alone. A proposal to amend an
24 existing provision of the declaration must contain the full text
25 of the provision to be amended. New words must be inserted in
26 the text and underlined, and words to be deleted must be lined
27 through with hyphens. However, if the proposed change is so
28 extensive that this procedure would hinder, rather than assist,
29 the understanding of the proposed amendment, it is not necessary

11-01608-17

20171186__

30 to use underlining and hyphens as indicators of words added or
31 deleted. Instead, a notation must be inserted immediately
32 preceding the proposed amendment in substantially the following
33 language: "Substantial rewording of declaration. See provision
34 for present text." An amendment to a declaration is effective
35 when properly recorded in the public records of the county where
36 the declaration is recorded.

37 (e) Nonmaterial errors or omissions in the amendment
38 process do not invalidate an otherwise properly adopted
39 amendment.

40 (f) An amendment to any recorded governing document is
41 effective when properly recorded in the public records of the
42 county where the governing document is recorded.

43 (g) An amendment prohibiting parcel owners from renting
44 their homes, altering the duration of the rental term, or
45 specifying or limiting the number of times parcel owners are
46 entitled to rent their homes during a specified period applies
47 only to parcel owners who consent individually or through their
48 representatives to the amendment and parcel owners who acquire
49 title to their homes after July 1, 2017.

50 Section 2. This act shall take effect July 1, 2017.