

1                   A bill to be entitled  
2           An act relating to homeowners' associations rental  
3           agreements; amending s. 720.306, F.S.; providing  
4           applicability for governing documents and amendments  
5           relating to rental agreements which are enacted after  
6           a specified date; providing an exception; providing  
7           applicability; specifying when a change of ownership  
8           does or does not occur for certain purposes; defining  
9           the term "affiliated entity"; providing an effective  
10          date.

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

13  
14          Section 1. Paragraph (h) is added to subsection (1) of  
15          section 720.306, Florida Statutes, to read:

16          720.306 Meetings of members; voting and election  
17          procedures; amendments.—

18          (1) QUORUM; AMENDMENTS.—

19          (h)1. Except as otherwise provided in this paragraph, any  
20          governing document, or amendment to a governing document, that  
21          is enacted after July 1, 2021, and that prohibits or regulates  
22          rental agreements applies only to a parcel owner who acquires  
23          title to the parcel after the effective date of the governing  
24          document or amendment, or to a parcel owner who consents,  
25          individually or through a representative, to the governing

26 document or amendment.

27 2. Notwithstanding subparagraph 1., an association may  
28 amend its governing documents to prohibit or regulate rental  
29 agreements for a term of less than 6 months and may prohibit the  
30 rental of a parcel for more than three times in a calendar year,  
31 and such amendments shall apply to all parcel owners.

32 3. This paragraph does not affect the amendment  
33 restrictions for associations of 15 or fewer parcel owners under  
34 s. 720.303(1).

35 4. For purposes of this paragraph, a change of ownership  
36 does not occur when a parcel owner conveys the parcel to an  
37 affiliated entity or when beneficial ownership of the parcel  
38 does not change. For purposes of this subparagraph, the term  
39 "affiliated entity" means an entity that controls, is controlled  
40 by, or is under common control with the parcel owner or that  
41 becomes a parent or successor entity by reason of transfer,  
42 merger, consolidation, public offering, reorganization,  
43 dissolution or sale of stock, or transfer of membership  
44 partnership interests. For a conveyance to be recognized as one  
45 made to an affiliated entity, the entity must furnish to the  
46 association a document certifying that this paragraph applies  
47 and provide any organizational documents for the parcel owner  
48 and the affiliated entity which support the representations in  
49 the certificate, as requested by the association.

50 5. For purposes of this paragraph, a change of ownership

51 does occur when, with respect to a parcel owner that is a  
52 business entity, each person that owned an interest in the  
53 entity at the time of the enactment of the amendment or rule  
54 conveys its interest in the business entity to an unaffiliated  
55 party.

56 Section 2. This act shall take effect July 1, 2021.