

Committee on Regulated Industries

CS/HB 293 — Hurricane Protections for Homeowners' Associations

by Regulatory Reform & Economic Development Subcommittee and Reps. Sirois, Daniels, and others (CS/SB 600 by Regulated Industries Committee and Senator Ingoglia)

The bill requires homeowners' associations, or any architectural, construction improvement, or similar committee (committee) to adopt hurricane protection specifications for each structure or other improvement on a parcel governed by the homeowners' association.

The specifications may include the color and style of hurricane protection products and any other factor deemed relevant by the board. All specifications adopted by the homeowners' association must comply with the applicable building code. The bill allows the homeowners' association or committee to require parcel owners to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel.

The bill provides that, regardless of any other provision in association governing documents, the homeowners' associations and committees may not deny an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner which conforms to the specifications adopted by the homeowners' association or committee.

The term "hurricane protection" is defined by the bill to include, but not be limited to, roof systems recognized by the Florida Building Code that meet ASCE 7-22 standards, which are standards adopted by the American Society of Civil Engineers, permanent fixed storm shutters, roll-down track storm shutters, impact-resistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, exterior fixed generators, fuel storage tanks and other hurricane protection products used to preserve and protect the structures or improvements on a parcel governed by the association.

The bill provides a statement of legislative intent providing that, in order to protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protection installed by parcel owners, the bill applies to all homeowners' associations in the state, regardless of when the community was created.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 32-0; House 108-0