

Bill No. CS for SB 814

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Dyer moved the following amendment:

Senate Amendment (with title amendment)

On page 14, between lines 15 and 16,

insert:

Section 15. Subsection (2) of section 617.303, Florida Statutes, 1998 Supplement, is amended to read:

617.303 Association powers and duties; meetings of board; official records; budgets; financial reporting.--

(2) BOARD MEETINGS.--A meeting of the board of directors of an association occurs whenever a quorum of the board gathers to conduct association business. All meetings of the board must be open to all members except for meetings between the board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege. Notices of all board meetings must be posted in a conspicuous place in the community at least 48 hours in advance of a meeting, except in an emergency. In the alternative, if notice is not posted in a conspicuous place in the community,

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1 notice of each board meeting must be mailed or delivered to
2 each member at least 7 days before the meeting, except in an
3 emergency. Notwithstanding this general notice requirement,
4 for communities with more than 100 members, the bylaws or a
5 resolution of the board of directors may provide for a
6 reasonable alternative to posting or mailing of notice for
7 each board meeting, including publication of notice or
8 provision of a schedule of board meetings. An assessment may
9 not be levied at a board meeting unless the notice of the
10 meeting includes a statement that assessments will be
11 considered and the nature of the assessments. Directors may
12 not vote by proxy or by secret ballot at board meetings,
13 except that secret ballots may be used in the election of
14 officers. This subsection also applies to the meetings of any
15 committee or other similar body, when a final decision will be
16 made regarding the expenditure of association funds, and to
17 any body vested with the power to approve or disapprove
18 architectural decisions with respect to a specific parcel of
19 residential property owned by a member of the community.

20 Section 16. Subsection (7) of section 617.306, Florida
21 Statutes, is amended to read:

22 617.306 Associations; meetings of members; voting and
23 election procedures; amendments.--

24 (7) ELECTIONS.--Elections of directors must be
25 conducted in accordance with the procedures set forth in the
26 governing documents of the association. All members of the
27 association shall be eligible to serve on the board of
28 directors, and a member may nominate himself or herself as a
29 candidate for the board in the same manner as any other
30 qualified person may be nominated ~~at a meeting where the~~
31 ~~election is to be held.~~ Except as otherwise provided in the

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1 governing documents, boards of directors must be elected by a
2 plurality of the votes cast by eligible voters.

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4 (Redesignate subsequent sections.)

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 2, line 15, after the semicolon,

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11 insert:

12 amending s. 617.303, F.S.; authorizing a
13 resolution of a board of directors to provide
14 an alternative form of notice for a board
15 meeting; amending s. 617.306, F.S.; providing
16 that a member of an association may nominate
17 himself or herself as a candidate for the board
18 in the same manner as any other qualified
19 person may be nominated;

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