

556-258AX-32

Bill No. CS/HB 843

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Melvin offered the following:

Amendment (with title amendment)

On page 17, between lines 15 and 16,

insert:

Section 13. Homeowners' Associations Task Force;
membership; duties.--

(1) The Homeowners' Associations Task Force is established and shall review and recommend appropriate changes to the laws of this state affecting mandatory homeowners' associations, land sales, exemptions, and disclosure laws related to adult and residential subdivisions. The task force shall issue recommendations in its preliminary and final reports to the Governor and the Legislature by the dates specified in subsection (5). The Senate Regulated Industries Committee and the House Committee on Judicial Oversight shall provide administrative staff for the task force. The task force shall consist of the following members, who shall be appointed by July 1, 2002:

(a) Eleven members to be appointed by the Governor.

1 (b) Five members to be appointed by the President of
2 the Senate.

3 (c) Five members to be appointed by the Speaker of the
4 House of Representatives.

5 (d) A representative from the Attorney General's
6 office.

7 (e) Twelve members representing homeowners' rights and
8 consumer interests who shall be selected from a pool of
9 candidates solicited for appointment by the Governor, the
10 President of the Senate, and the Speaker of the House of
11 Representatives, six of whom shall be appointed by the
12 Governor, three of whom shall be appointed by the President of
13 the Senate, and three of whom shall be appointed by the
14 Speaker of the House of Representatives.

15 (f) Five members of the Legislature who shall be ex
16 officio, nonvoting members of the task force, appointed as
17 follows:

18 1. Three Senators, to be appointed by the President of
19 the Senate, one of whom is a member of the Senate Agriculture
20 and Consumer Services Committee, one of whom is a member of
21 the Senate Judiciary Committee, and one of whom is a member of
22 the Senate Regulated Industries Committee.

23 2. Two Representatives, to be appointed by the Speaker
24 of the House of Representatives, one of whom is a member of
25 the House Committee on Business Regulation and one of whom is
26 a member of the House Committee on Judicial Oversight.

27 (2)(a) Selection of task force members shall be made
28 in a manner which ensures a fair and balanced representation
29 from the industry sector and consumer advocates with a
30 substantial public record of endeavors on behalf of
31 homeowners' rights and consumer interests.

1 (b) Each appointed member of the task force shall
2 serve at the pleasure of the appointing official. A vacancy on
3 the task force shall be filled in the same manner as the
4 original appointment.

5 (c) The task force shall elect a chair from among its
6 members.

7 (d) Members of the task force shall serve without
8 compensation but are entitled to reimbursement for per diem
9 and travel expenses incurred in the performance of their
10 duties as provided in s. 112.061, Florida Statutes.

11 (3) The task force shall hold its organizational
12 meeting by August 1, 2002, and thereafter shall meet as
13 scheduled at the time and place designated by the chair. A
14 majority of the members of the task force constitutes a
15 quorum, and a quorum is necessary for the purpose of
16 conducting official business of the task force. The task force
17 shall use accepted rules of procedure to conduct its meetings
18 and shall keep a complete record of each meeting.

19 (4) The task force shall evaluate the changes and
20 additions, if any, to those laws which may be appropriate to
21 protect the interests of consumers and property owners on
22 matters including, but not limited to, control of the
23 homeowners' association's operations, management and
24 maintenance, disclosure of financial reports by developers or
25 owners, disclosure of all governing documents governing the
26 real property, penalties for noncompliance, oversight and
27 funding for such protection of interests, alternative dispute
28 resolution, and assistance in the formulation of rules to
29 implement enforcement.

30 (5)(a) By February 1, 2003, the task force shall
31 submit a preliminary report to the Governor, the President of

1 the Senate, and the Speaker of the House of Representatives.

2 (b) By February 1, 2004, the task force shall submit a
3 final report to the Governor, the President of the Senate, and
4 the Speaker of the House of Representatives.

5 (6) This section is repealed and the task force is
6 terminated June 30, 2004.

7 (7) The sum of \$100,000 is appropriated from the
8 General Revenue Fund to the Office of Legislative Services for
9 the purpose of paying administrative expenses and funding
10 contracts necessary to carry out the provisions of this
11 section.

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

15 And the title is amended as follows:

16 On page 2, line 4, after the semicolon,

17

18 insert:

19 establishing the Homeowners' Associations Task
20 Force; providing for appointment of members and
21 organization of the task force; specifying
22 duties; providing for reports; providing for
23 repeal and termination; providing an
24 appropriation;

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