

By the Committee on Comprehensive Planning; and Senators Wise, Fasano and Garcia

316-2066-03

1 A bill to be entitled
2 An act relating to real property reform;
3 requiring the Office of Program Policy Analysis
4 and Government Accountability to review and
5 evaluate changes to the laws affecting land
6 sales, exemptions, and mandatory homeowners'
7 associations and disclosure laws related to
8 adult and residential subdivisions; requiring
9 the Office of Program Policy Analysis and
10 Government Accountability to consult with the
11 Department of Business and Professional
12 Regulation, homeowners and homeowners'
13 associations, and developers and to hold
14 hearings; requiring a report to the Governor,
15 the President of the Senate, and the Speaker of
16 the House of Representatives regarding its
17 evaluation of the need for change to laws that
18 protect the interests of consumers and property
19 owners; providing an effective date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. (1) The Office of Program Policy Analysis
24 and Government Accountability shall review and recommend
25 appropriate changes to the laws of this state affecting land
26 sales, exemptions, and mandatory homeowners' associations and
27 disclosure laws related to adult and residential subdivisions.
28 In conducting the review, the office shall consider input from
29 a variety of sources, including, but not limited to, the
30 Department of Business and Professional Regulation, homeowners
31 and homeowners' associations, and developers. The office shall

1 hold public meetings in South Florida, Central Florida, and
2 Jacksonville to obtain input.

3 (2) The review shall evaluate the need for any changes
4 and additions to those laws which may be appropriate to
5 protect the interests of consumers and property owners on
6 matters, including, but not limited to, control of the
7 homeowners' association's operations, management and
8 maintenance, disclosure of financial reports by developers or
9 owners, disclosure of all governing documents governing real
10 property, penalties for noncompliance, oversight and funding
11 for such protection of interests, alternative dispute
12 resolution, and assistance in the formulation of rules to
13 implement enforcement.

14 (3) By February 1, 2004, the Office of Program Policy
15 Analysis and Government Accountability shall submit a report
16 of its findings and recommendations to the Governor, the
17 President of the Senate, and the Speaker of the House of
18 Representatives.

19 Section 2. This act shall take effect upon becoming a
20 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1248

The committee substitute (CS) requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review and recommend appropriate statutory changes affecting land sales, exemptions, and mandatory homeowner's associations and disclosure laws related to adult and residential subdivisions. This CS provides that OPPAGA will consider input from various sources, hold public meetings to obtain input, and report its findings and recommendations to the Governor, President of the Senate, and the Speaker of the House of Representatives by February 1, 2004.

Also, the CS deletes provisions creating the 39-member "Mandated Property Reform Task Force" charged with reviewing and recommending statutory changes affecting land sales, exemptions, and mandatory homeowner's associations and disclosure laws related to adult and residential subdivisions; requiring a preliminary and final report from the task force; and appropriating \$50,000 from the General Revenue Fund to the Office of Legislative Services for administrative expenses associated with the task force.