

By Senator Saunders

37-143-03

1 A bill to be entitled
2 An act relating to fire safety standards;
3 amending s. 633.025, F.S.; authorizing local
4 government entities to exempt certain
5 residential high-rise buildings from specified
6 fire safety standards; amending s. 689.26,
7 F.S.; requiring sellers of condominiums to
8 disclose the status of the buildings'
9 compliance with specific provisions of the
10 Florida Fire Protection Code; providing an
11 effective date.

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

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15 Section 1. Subsection (10) is added to section
16 633.025, Florida Statutes, to read:

17 633.025 Minimum firesafety standards.--

18 (10) A municipality, county, or special district with
19 firesafety responsibilities may adopt a local amendment to the
20 Florida Fire Prevention Code to exempt residential high-rise
21 buildings constructed before January 1, 2002, from the
22 requirement that such buildings be protected throughout by an
23 approved, supervised automatic sprinkler system or an
24 engineered life safety system approved by the fire official.

25 (a) However, residential high-rise buildings must
26 comply with that requirement when they are substantially
27 improved. Upon resale of such buildings or units within such
28 buildings, sellers must disclose to buyers that the building
29 does not comply with standards for an approved, supervised
30 automatic sprinkler system or an engineered life safety
31 system.

1 4. YOUR FAILURE TO PAY THESE ASSESSMENTS COULD RESULT
2 IN A LIEN ON YOUR PROPERTY.

3 5. THERE (IS) (IS NOT) AN OBLIGATION TO PAY RENT OR
4 LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED
5 FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS'
6 ASSOCIATION. (If such obligation exists, then the amount of
7 the current obligation shall be set forth.)

8 6. THE RESTRICTIVE COVENANTS (CAN) (CANNOT) BE AMENDED
9 WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP.

10 7. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM
11 ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER,
12 YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION
13 GOVERNING DOCUMENTS.

14 8. THESE DOCUMENTS ARE MATTERS OF PUBLIC RECORD AND
15 CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE
16 PROPERTY IS LOCATED.

17 DATE:

PURCHASER:

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PURCHASER:

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20 The disclosure must be supplied by the developer, or by the
21 parcel owner if the sale is by an owner that is not the
22 developer. Any contract or agreement for sale shall refer to
23 and incorporate the disclosure summary and shall include, in
24 prominent language, a statement that the potential buyer
25 should not execute the contract or agreement until they have
26 received and read the disclosure summary required by this
27 section.

28 (2) This section does not apply to any association
29 regulated under chapter 718, chapter 719, chapter 721, or
30 chapter 723 or to a subdivider registered under chapter 498;
31 and also does not apply if disclosure regarding the

1 association is otherwise made in connection with the
2 requirements of chapter 718, chapter 719, chapter 721, or
3 chapter 723.

4 (3) Upon resale of condominiums or units within such
5 condominiums, sellers must disclose to the buyers whether or
6 not the building complies with standards for an approved,
7 supervised automatic sprinkler system or an engineered life
8 safety system, as required for new construction in the Florida
9 Fire Prevention Code.

10 Section 3. This act shall take effect July 1, 2003.

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SENATE SUMMARY

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Permits certain local government entities to exempt certain residential high-rise buildings from fire safety requirements pertaining to automatic sprinkler systems or engineered life safety systems. Required sellers of condominiums to disclose the status of such buildings' compliance with such standards.