

1                                   A bill to be entitled  
 2   An act relating to condominiums; amending s. 718.301, F.S.;  
 3   providing for the effect of actions taken by members of the  
 4   board of administration of an association; requiring examination  
 5   and certification of certain defects by certain licensed  
 6   individuals or entities; providing an effective date.

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

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 10           Section 1. Subsection (6) of section 718.301, Florida  
 11   Statutes, is renumbered as subsection (8), and new subsections  
 12   (6) and (7) are added to said section, to read:

13           718.301   Transfer of association control; claims of defect  
 14   by association.--

15           (6)   Actions taken by members of the board of  
 16   administration designated by the developer are considered  
 17   actions taken by the developer, and the developer is responsible  
 18   to the association and its members for all such actions.

19           (7)   In any claim against a developer by an association  
 20   alleging a defect in design, structural elements, construction,  
 21   or any mechanical, electrical, fire protection, plumbing, or  
 22   other element that requires a licensed professional for design  
 23   or installation under chapter 455, chapter 471, chapter 481,  
 24   chapter 489, or chapter 633, such defect must be examined and  
 25   certified by an appropriately licensed Florida engineer, design  
 26   professional, contractor, or otherwise licensed Florida  
 27   individual or entity.

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28 |        (8)~~(6)~~ The division has authority to adopt rules pursuant  
29 | to the Administrative Procedure Act to ensure the efficient and  
30 | effective transition from developer control of a condominium to  
31 | the establishment of a unit-owner controlled association.

32 |        Section 2. This act shall take effect July 1, 2004.