

Bill No. SB 1492

Barcode 480086

CHAMBER ACTION

Senate

House

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The Committee on Regulated Industries (Haridopolos) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

(6) Prior to the developer relinquishing control of the association pursuant to subsection (4), actions taken by members of the board of administration designated by the developer are considered actions taken by the developer, and the developer is responsible to the association and its members for all such actions.

(7) In any claim against a developer by an association alleging a defect in design, structural elements, construction, or any mechanical, electrical, fire protection,

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1 plumbing, or other element that requires a licensed
 2 professional for design or installation under chapter 455,
 3 chapter 471, chapter 481, chapter 489, or chapter 633, such
 4 defect must be examined and certified by an appropriately
 5 licensed Florida engineer, design professional, contractor, or
 6 otherwise licensed Florida individual or entity.

7 ~~(8)(6)~~ The division has authority to adopt rules
 8 pursuant to the Administrative Procedure Act to ensure the
 9 efficient and effective transition from developer control of a
 10 condominium to the establishment of a unit-owner controlled
 11 association.

12 Section 2. This act shall take effect July 1, 2005.

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

16 And the title is amended as follows:

17 Delete everything before the enacting clause

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19 and insert:

20 A bill to be entitled
 21 An act relating to condominiums; amending s.
 22 718.301, F.S.; providing for the effect of
 23 actions taken by members of the board of
 24 administration of an association designated by
 25 the developer; requiring examination and
 26 certification of certain defects by certain
 27 licensed individuals or entities; providing an
 28 effective date.

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