

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

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

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

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

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

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

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