



711774

CHAMBER ACTION

Senate

House

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Floor: 2/AD/2R
5/2/2008 2:41 PM

1 Senator Posey moved the following **amendment**:

2
3 **Senate Amendment**

4 Delete line(s) 516-547

5 and insert:

6
7 Section 8. Effective July 1, 2009, paragraph (d) of
8 subsection (1) of section 34.01, Florida Statutes, is amended to
9 read:

10 34.01 Jurisdiction of county court.--

11 (1) County courts shall have original jurisdiction:

12 (d) Of disputes occurring in the homeowners' associations
13 as described in part IV of chapter 720 s. 720.311(2)(a), which
14 shall be concurrent with jurisdiction of the circuit courts.

15 Section 9. Effective July 1, 2009, subsection (2) of
16 section 720.302, Florida Statutes, is amended to read:

17 720.302 Purposes, scope, and application.--



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18 (2) The Legislature recognizes that it is not in the best
19 interest of homeowners' associations or the individual
20 association members thereof to create or impose a bureau or other
21 agency of state government to regulate the affairs of homeowners'
22 associations. However, in accordance with part IV of chapter 720
23 ~~s. 720.311~~, the Legislature finds that homeowners' associations
24 and their individual members will benefit from an expedited
25 alternative process for resolution of ~~election and recall~~
26 ~~disputes and presuit mediation of other~~ disputes involving
27 covenant enforcement in homeowner's associations and deed
28 restricted communities using the procedures provided in part IV
29 of ~~and authorizes the department to hear, administer, and~~
30 ~~determine these disputes as more fully set forth in this chapter.~~
31 Further, the Legislature recognizes that certain contract rights
32 have been created for the benefit of homeowners' associations and
33 members thereof as well as deed-restricted communities before the
34 effective date of this act and that part IV of chapter 720 is ~~ss.~~
35 ~~720.301-720.407~~ are not intended to impair such contract rights,
36 including, but not limited to, the rights of the developer to
37 complete the community as initially contemplated.

38 Section 10. Effective July 1, 2009, section 720.311,
39 Florida Statutes, is repealed.

40 Section 11. Effective July 1, 2009, part IV of chapter 720,
41 Florida Statutes, to be