



666852

LEGISLATIVE ACTION

Senate	.	House
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Senator Garcia moved the following:

1 **Senate Amendment to Amendment (927562) (with title**
2 **amendment)**

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4 Delete lines 1342 - 1355
5 and insert:

6 (9) ELECTIONS; BOARD MEMBER CERTIFICATION.-

7 (a) Elections of directors must be conducted in accordance
8 with the procedures set forth in the governing documents of the
9 association. All members of the association ~~are shall be~~
10 eligible to serve on the board of directors, and a member may
11 nominate himself or herself as a candidate for the board at a
12 meeting where the election is to be held or, if the election
13 process allows voting by absentee ballot, in advance of the



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14 balloting. Except as otherwise provided in the governing
15 documents, boards of directors must be elected by a plurality of
16 the votes cast by eligible voters. Any election dispute between
17 a member and an association must be submitted to mandatory
18 binding arbitration with the division. Such proceedings shall be
19 conducted in the manner provided in s. 720.507 ~~by s. 718.1255~~
20 ~~and the procedural rules adopted by the division.~~

21 (b) Within 90 days after being elected to the board, each
22 newly elected director shall certify in writing to the secretary
23 of the association that he or she has read the association's
24 declarations of covenants and restrictions, articles of
25 incorporation, bylaws, and current written policies; that he or
26 she will work to uphold such documents and policies to the best
27 of his or her ability; and that he or she will faithfully
28 discharge his or her fiduciary responsibility to the
29 association's members. Failure to timely file the written
30 certification automatically disqualifies the director from
31 service on the board. The secretary shall cause the association
32 to retain a director's written certification for inspection by
33 the members for 5 years after a director's election. Failure to
34 have such written certification on file does not affect the
35 validity of any appropriate action.

36
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete line 1948

40 and insert:

41 requirements for secret ballots; requiring newly
42 elected board members to certify that he or she has or



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will perform certain activities; requiring the
secretary of the association to retain a director's
certification; creating s. 720.315,