



921858

LEGISLATIVE ACTION

Senate	.	House
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Senator Garcia moved the following:

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

3
4 Delete lines 292 - 297
5 and insert:

6 Section 4. Paragraphs (c), (d), (n), and (o) of subsection
7 (2) of section 718.112, Florida Statutes, are amended to read:
8 718.112 Bylaws.—

9 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
10 following and, if they do not do so, shall be deemed to include
11 the following:

12 (c) *Board of administration meetings.*—Meetings of the board
13 of administration at which a quorum of the members is present



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14 shall be open to all unit owners. Any unit owner may tape record
15 or videotape meetings of the board of administration. The right
16 to attend such meetings includes the right to speak at such
17 meetings with reference to all designated agenda items. The
18 division shall adopt reasonable rules governing the tape
19 recording and videotaping of the meeting. The association may
20 adopt written reasonable rules governing the frequency,
21 duration, and manner of unit owner statements. Adequate notice
22 of all meetings, which notice shall specifically incorporate an
23 identification of agenda items, shall be posted conspicuously on
24 the condominium property at least 48 continuous hours preceding
25 the meeting except in an emergency. If 20 percent of the voting
26 interests petition the board to address an item of business, the
27 board shall at its next regular board meeting or at a special
28 meeting of the board, but not later than 60 days after the
29 receipt of the petition, place the item on the agenda. Any item
30 not included on the notice may be taken up on an emergency basis
31 by at least a majority plus one of the members of the board.
32 Such emergency action shall be noticed and ratified at the next
33 regular meeting of the board. However, written notice of any
34 meeting at which nonemergency special assessments, or at which
35 amendment to rules regarding unit use, will be considered shall
36 be mailed, delivered, or electronically transmitted to the unit
37 owners and posted conspicuously on the condominium property not
38 less than 14 days prior to the meeting. Evidence of compliance
39 with this 14-day notice shall be made by an affidavit executed
40 by the person providing the notice and filed among the official
41 records of the association. Upon notice to the unit owners, the
42 board shall by duly adopted rule designate a specific location



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43 on the condominium property or association property upon which
44 all notices of board meetings shall be posted. If there is no
45 condominium property or association property upon which notices
46 can be posted, notices of board meetings shall be mailed,
47 delivered, or electronically transmitted at least 14 days before
48 the meeting to the owner of each unit. In lieu of or in addition
49 to the physical posting of notice of any meeting of the board of
50 administration on the condominium property, the association may,
51 by reasonable rule, adopt a procedure for conspicuously posting
52 and repeatedly broadcasting the notice and the agenda on a
53 closed-circuit cable television system serving the condominium
54 association. However, if broadcast notice is used in lieu of a
55 notice posted physically on the condominium property, the notice
56 and agenda must be broadcast at least four times every broadcast
57 hour of each day that a posted notice is otherwise required
58 under this section. When broadcast notice is provided, the
59 notice and agenda must be broadcast in a manner and for a
60 sufficient continuous length of time so as to allow an average
61 reader to observe the notice and read and comprehend the entire
62 content of the notice and the agenda. Notice of any meeting in
63 which regular or special assessments against unit owners are to
64 be considered for any reason shall specifically state that
65 assessments will be considered and the nature of the
66 assessments, the actual amount of any bids or proposals for
67 estimated cost, and a description of the purposes for such
68 assessments. Meetings of a committee to take final action on
69 behalf of the board or make recommendations to the board
70 regarding the association budget are subject to the provisions
71 of this paragraph. Meetings of a committee that does not take



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72 final action on behalf of the board or make recommendations to
73 the board regarding the association budget are subject to the
74 provisions of this section, unless those meetings are exempted
75 from this section by the bylaws of the association.
76 Notwithstanding any other law, the requirement that board
77 meetings and committee meetings be open to the unit owners is
78 inapplicable to meetings between the board or a committee and
79 the association's attorney, with respect to proposed or pending
80 litigation, when the meeting is held for the purpose of seeking
81 or rendering legal advice.

82
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Delete line 1855

86 and insert:

87 standards; amending s. 718.112, F.S.; revising notice
88 requirements for board of administration meetings;
89 revising