

By Senator Smith

29-00713-12

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1 A bill to be entitled

2 An act relating to condominiums; amending s. 718.115,
3 F.S.; prohibiting the share of common expenses of a
4 unit in a condominium which is in foreclosure from
5 being assessed against other units in the condominium;
6 providing an effective date.

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

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10 Section 1. Subsection (2) of section 718.115, Florida
11 Statutes, is amended to read:

12 718.115 Common expenses and common surplus.—

13 (2) Except as otherwise provided by this chapter, funds for
14 payment of the common expenses of a condominium shall be
15 collected by assessments against the units in that condominium
16 in the proportions or percentages provided in that condominium's
17 declaration. In a residential condominium, or mixed-use
18 condominium created after January 1, 1996, each unit's share of
19 the common expenses of the condominium and common surplus of the
20 condominium shall be the same as the unit's appurtenant
21 ownership interest in the common elements. The share of the
22 common expenses of a unit in the condominium which is in
23 foreclosure may not be assessed against other units in the
24 condominium.

25 Section 2. This act shall take effect July 1, 2012.