

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative La Rosa offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (b) of subsection (2) of section  
 7 468.436, Florida Statutes, is amended to read:

8 468.436 Disciplinary proceedings.—

9 (2) The following acts constitute grounds for which the  
 10 disciplinary actions in subsection (4) may be taken:

11 (b)1. Violation of any provision of this part.

12 2. Violation of any lawful order or rule rendered or  
 13 adopted by the department or the council.

14 3. Being convicted of or pleading nolo contendere to a  
 15 felony in any court in the United States.

16 4. Obtaining a license or certification or any other  
 17 order, ruling, or authorization by means of fraud,  
 18 misrepresentation, or concealment of material facts.

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19 5. Committing acts of gross misconduct or gross negligence  
20 in connection with the profession.

21 6. Contracting, on behalf of an association, with any  
22 entity in which the licensee has a financial interest that is  
23 not disclosed.

24 7. Failing to report to the division as required in s.  
25 720.303(13).

26 8. Violating any provision of chapters 718, 719, or 720  
27 during the course of performing community association management  
28 services pursuant to a contract with a community association.

29 Section 2. Paragraph (m) is added to subsection (4),  
30 Subsection (5) and paragraph (d) of subsection (6) of section  
31 720.303, Florida Statutes, are amended, and subsection (13) is  
32 added to that section, to read:

33 720.303 Association powers and duties; meetings of board;  
34 official records; budgets; financial reporting; association  
35 funds; recalls.—

36 (4) OFFICIAL RECORDS.—The association shall maintain each  
37 of the following items, when applicable, which constitute the  
38 official records of the association:

39 (m) A copy of the association internal dispute resolution  
40 procedure.

41 (5) INSPECTION AND COPYING OF RECORDS.—The official  
42 records shall be maintained within the state for at least 7  
43 years and shall be made available to a parcel owner for  
44 inspection or photocopying within 45 miles of the community or  
45 within the county in which the association is located within 10  
46 business days after receipt by the board or its designee of a

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47 ~~written request must be open to inspection and available for~~  
48 ~~photocopying by members or their authorized agents at reasonable~~  
49 ~~times and places within 10 business days after receipt of a~~  
50 ~~written request for access. This subsection may be complied with~~  
51 ~~by having a copy of the official records available for~~  
52 ~~inspection or copying in the community or, at the option of the~~  
53 ~~association, by making the records available to a parcel owner~~  
54 ~~electronically via the Internet or by allowing the records to be~~  
55 ~~viewed in electronic format on a computer screen and printed~~  
56 ~~upon request. If the association has a photocopy machine~~  
57 ~~available where the records are maintained, it must provide~~  
58 ~~parcel owners with copies on request during the inspection if~~  
59 ~~the entire request is limited to no more than 25 pages. An~~  
60 ~~association shall allow a member or his or her authorized~~  
61 ~~representative to use a portable device, including a smartphone,~~  
62 ~~tablet, portable scanner, or any other technology capable of~~  
63 ~~scanning or taking photographs, to make an electronic copy of~~  
64 ~~the official records in lieu of providing the member or his or~~  
65 ~~her authorized representative with a copy of such records. The~~  
66 ~~association may not charge a fee to a member or his or her~~  
67 ~~authorized representative for such use of a portable device.~~

68 (a) The failure of an association to provide access to the  
69 records within 10 business days after receipt of a written  
70 request submitted by certified mail, return receipt requested,  
71 creates a rebuttable presumption that the association willfully  
72 failed to comply with this subsection.

73 (b) A member who is denied access to official records is  
74 entitled to the actual damages or minimum damages for the

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75 association's willful failure to comply with this subsection.  
76 The minimum damages are to be \$50 per calendar day up to 10  
77 days, the calculation to begin on the 11th business day after  
78 receipt of the written request.

79 (c) The association may adopt reasonable written rules  
80 governing the frequency, time, location, notice, records to be  
81 inspected, and manner of inspections, but may not require a  
82 parcel owner to demonstrate any proper purpose for the  
83 inspection, state any reason for the inspection, or limit a  
84 parcel owner's right to inspect records to less than one 8-hour  
85 business day per month. The association may impose fees to cover  
86 the costs of providing copies of the official records,  
87 ~~including, without limitation, the costs of copying, and the~~  
88 costs required for personnel to retrieve and copy the records if  
89 retrieving the records exceeds one-half hour and if the  
90 personnel costs do not exceed \$20 per hour. No personnel costs  
91 may be charged for records requests that result in 25 or fewer  
92 pages. The association may charge up to 25 ~~50~~ cents per page for  
93 copies made on the association's photocopier. If the  
94 association does not have a photocopy machine available where  
95 the records are kept, or if the records requested to be copied  
96 exceed 25 pages in length, the association may have copies made  
97 by an outside duplicating service ~~vendor or association~~  
98 ~~management company personnel~~ and may charge the actual cost of  
99 copying, as supported by the vendor invoice ~~including any~~  
100 ~~reasonable costs involving personnel fees and charges at an~~  
101 ~~hourly rate for vendor or employee time to cover administrative~~  
102 ~~costs to the vendor or association.~~ The association shall

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103 maintain an adequate number of copies of the recorded governing  
104 documents, to ensure their availability to members and  
105 prospective members. Notwithstanding this paragraph, the  
106 following records are not accessible to members or parcel  
107 owners:

108 1. Any record protected by the lawyer-client privilege as  
109 described in s. 90.502 and any record protected by the work-  
110 product privilege, including, but not limited to, a record  
111 prepared by an association attorney or prepared at the  
112 attorney's express direction which reflects a mental impression,  
113 conclusion, litigation strategy, or legal theory of the attorney  
114 or the association and which was prepared exclusively for civil  
115 or criminal litigation or for adversarial administrative  
116 proceedings or which was prepared in anticipation of such  
117 litigation or proceedings until the conclusion of the litigation  
118 or proceedings.

119 2. Information obtained by an association in connection  
120 with the approval of the lease, sale, or other transfer of a  
121 parcel.

122 3. Personnel records of the association's employees,  
123 including, but not limited to, disciplinary, payroll, health,  
124 and insurance records. For purposes of this subparagraph, the  
125 term "personnel records" does not include written employment  
126 agreements with an association employee or budgetary or  
127 financial records that indicate the compensation paid to an  
128 association employee.

129 4. Medical records of parcel owners or community  
130 residents.

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131 5. Social security numbers, driver's license numbers,  
132 credit card numbers, electronic mailing addresses, telephone  
133 numbers, facsimile numbers, emergency contact information, any  
134 addresses for a parcel owner other than as provided for  
135 association notice requirements, and other personal identifying  
136 information of any person, excluding the person's name, parcel  
137 designation, mailing address, and property address. However, an  
138 owner may consent in writing to the disclosure of protected  
139 information described in this subparagraph. The association is  
140 not liable for the disclosure of information that is protected  
141 under this subparagraph if the information is included in an  
142 official record of the association and is voluntarily provided  
143 by an owner and not requested by the association.

144 6. Any electronic security measure that is used by the  
145 association to safeguard data, including passwords.

146 7. The software and operating system used by the  
147 association which allows the manipulation of data, even if the  
148 owner owns a copy of the same software used by the association.  
149 The data is part of the official records of the association.

150 (d) The association or its authorized agent is not  
151 required to provide a prospective purchaser or lienholder with  
152 information about the residential subdivision or the association  
153 other than information or documents required by this chapter to  
154 be made available or disclosed. The association or its  
155 authorized agent may charge a reasonable fee to the prospective  
156 purchaser or lienholder or the current parcel owner or member  
157 for providing good faith responses to requests for information  
158 by or on behalf of a prospective purchaser or lienholder, other

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159 than that required by law, if the fee does not exceed \$150 plus  
160 the reasonable cost of photocopying and any attorney's fees  
161 incurred by the association in connection with the response.

162 (6) BUDGETS.—

163 (d) An association is deemed to have provided for reserve  
164 accounts if reserve accounts have been initially established by  
165 the developer or if the membership of the association  
166 affirmatively elects to provide for reserves. If reserve  
167 accounts are established by the developer, the budget must  
168 designate the components for which the reserve accounts are  
169 established. If reserve accounts are not initially provided by  
170 the developer, the membership of the association may elect to do  
171 so upon the affirmative approval of a majority of the total  
172 voting interests of the association. Such approval may be  
173 obtained by vote of the members at a duly called meeting of the  
174 membership or by the written consent of a majority of the total  
175 voting interests of the association. The approval action of the  
176 membership must state that reserve accounts shall be provided  
177 for in the budget and must designate the components for which  
178 the reserve accounts are to be established. Upon approval by the  
179 membership, the board of directors shall include the required  
180 reserve accounts in the budget in the next fiscal year following  
181 the approval and each year thereafter. Once established as  
182 provided in this subsection, the reserve accounts must be funded  
183 or maintained or have their funding waived in the manner  
184 provided in paragraph (f).

185 (13) REPORTING REQUIREMENT.—The community association  
186 manager, or the association when there is no community

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187 association manager, shall report to the division by November  
188 22, 2013, and annually thereafter, in a manner and form  
189 prescribed by the division.

190 (a) The report shall include the association's:

191 1. Legal name.

192 2. Federal employer identification number.

193 3. Mailing and physical addresses.

194 4. Total number of parcels.

195 5. Total amount of revenues and expenses from the  
196 association's annual budget.

197 (b) For associations in which control of the association  
198 has not been transitioned to nondeveloper members, as set forth  
199 in s. 720.307, the report shall also include the developer's:

200 1. Legal name.

201 2. Mailing address.

202 3. Total number of parcels owned on the date of reporting.

203 (c) By October 1, 2013, the department shall establish and  
204 implement a registration system through an Internet website that  
205 provides for the reporting requirements of paragraphs (a) and  
206 (b).

207 (d) The department shall prepare an annual report of the  
208 data reported pursuant to this subsection and present it to the  
209 Governor, the President of the Senate, and the Speaker of the  
210 House of Representatives by December 1, 2013, and each year  
211 thereafter.

212 (e) The department may adopt rules pursuant to ss.  
213 120.536(1) and 120.54 to implement the provisions of this  
214 subsection.



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215 (f) This subsection shall stand repealed on July 1, 2016,  
216 unless reenacted by the Legislature.

217 Section 3. Section 720.3033, Florida Statutes, is created  
218 to read:

219 720.3033 Officers and directors.-

220 (1) (a) Within 90 days after being elected or appointed to  
221 the board, each director shall certify in writing to the  
222 secretary of the association that he or she has read the  
223 association's declaration of covenants, articles of  
224 incorporation, bylaws, and current written rules and policies;  
225 that he or she will work to uphold such documents and policies  
226 to the best of his or her ability; and that he or she will  
227 faithfully discharge his or her fiduciary responsibility to the  
228 association's members. Within 90 days after being elected or  
229 appointed to the board, in lieu of this written certification,  
230 the newly elected or appointed director may submit a certificate  
231 of having satisfactorily completed the educational curriculum  
232 administered by a division-approved education provider within 1  
233 year before or 90 days after the date of election or  
234 appointment.

235 (b) The written certification or educational certificate  
236 is valid for the uninterrupted tenure of the director on the  
237 board. A director who does not timely file the written  
238 certification or educational certificate shall be suspended from  
239 the board until he or she complies with the requirement. The  
240 board may temporarily fill the vacancy during the period of  
241 suspension.

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242 (c) The association shall retain each director's written  
243 certification or educational certificate for inspection by the  
244 members for 5 years after the director's election. However, the  
245 failure to have the written certification on file does not  
246 affect the validity of any board action.

247 (2) If the association enters into a contract or other  
248 transaction with any of its directors or a corporation, firm,  
249 association, or other entity in which an association director is  
250 also a director or officer or is financially interested, the  
251 board must:

252 (a) Comply with the requirements of s. 617.0832.

253 (b) Enter the disclosures required by s. 617.0832 into the  
254 written minutes of the meeting.

255 (c) Approve the contract or other transaction by an  
256 affirmative vote of two-thirds of the directors present.

257 (d) At the next regular or special meeting of the members,  
258 disclose the existence of the contract or other transaction to  
259 the members. Upon motion of any member, the contract or  
260 transaction shall be brought up for a vote and may be canceled  
261 by a majority vote of the members present. If the members cancel  
262 the contract, the association is only liable for the reasonable  
263 value of goods and services provided up to the time of  
264 cancellation and is not liable for any termination fee,  
265 liquidated damages, or other penalty for such cancellation.

266 (3) An officer, director, or manager may not solicit,  
267 offer to accept, or accept any good or service of value for  
268 which consideration has not been provided for his or her benefit  
269 or for the benefit of a member of his or her immediate family

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270 from any person providing or proposing to provide goods or  
271 services to the association. If the board finds that an officer  
272 or director has violated this subsection, the board shall  
273 immediately remove the officer or director from office. The  
274 vacancy shall be filled according to law until the end of the  
275 period of the end of the director's term of office. However, an  
276 officer, director, or manager may accept food to be consumed at  
277 a business meeting with a value of less than \$25 per individual  
278 or a service or good received in connection with trade fairs or  
279 education programs.

280 (4) A director or officer charged by information or  
281 indictment with a felony theft or embezzlement offense involving  
282 the association's funds or property is removed from office. The  
283 board shall immediately remove such director or officer from  
284 office and shall fill the vacancy according to general law until  
285 the end of the period of the suspension or the end of the  
286 director's term of office, whichever occurs first. However, if  
287 the charges are resolved without a finding of guilt or without  
288 acceptance of a plea of guilty or nolo contendere, the director  
289 or officer shall be reinstated for any remainder of his or her  
290 term of office. A member who has such criminal charges pending  
291 may not be appointed or elected to a position as a director or  
292 officer.

293 (5) An association with total annual revenues of more than  
294 \$100,000 shall maintain insurance or a fidelity bond for all  
295 persons who control or disburse funds of the association. The  
296 insurance policy or fidelity bond must cover the maximum funds  
297 that will be in the custody of the association or its management

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298 agent at any one time. As used in this subsection, the term  
299 "persons who control or disburse funds of the association"  
300 includes, but is not limited to, persons authorized to sign  
301 checks on behalf of the association, and the president,  
302 secretary, and treasurer of the association. The association  
303 shall bear the cost of any insurance or bond.

304 Section 4. Paragraph (a) of subsection (9) of section  
305 720.306, Florida Statutes, is amended to read:

306 720.306 Meetings of members; voting and election  
307 procedures; amendments.—

308 (9) (a) ELECTIONS AND BOARD VACANCIES.—Elections of  
309 directors must be conducted in accordance with the procedures  
310 set forth in the governing documents of the association. All  
311 members of the association are eligible to serve on the board of  
312 directors, and a member may nominate himself or herself as a  
313 candidate for the board at a meeting where the election is to be  
314 held, provided however that, ~~or,~~ if the election process allows  
315 candidates to nominate themselves in advance of the balloting,  
316 the association does not have to allow nominations at the  
317 meeting ~~voting by absentee ballot, in advance of the balloting.~~  
318 An election is not required unless more candidates are nominated  
319 than vacancies exist. Except as otherwise provided in the  
320 governing documents, boards of directors must be elected by a  
321 plurality of the votes cast by eligible voters.

322 Section 5. Subsection (1) of section 720.307, Florida  
323 Statutes, is amended, present subsections (2) through (4) are  
324 renumbered as subsections (4) through (6), respectively, and new  
325 subsections (2) and (3) are added to that section, to read:

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326 720.307 Transition of association control in a community.-

327 With respect to homeowners' associations:

328 (1) Members other than the developer are entitled to elect  
329 at least a majority of the members of the board of directors of  
330 the homeowners' association when the earlier of the following  
331 events occurs:

332 (a) Three months after 90 percent of the parcels in all  
333 phases of the community that will ultimately be operated by the  
334 homeowners' association have been conveyed to members; ~~or~~

335 (b) Such other percentage of the parcels has been conveyed  
336 to members, or such other date or event has occurred, as is set  
337 forth in the governing documents in order to comply with the  
338 requirements of any governmentally chartered entity with regard  
339 to the mortgage financing of parcels;

340 (c) Two years after the developer has ceased construction  
341 or ceased to offer parcels for sale in the ordinary course of  
342 business;

343 (d) Upon the developer abandoning or deserting its  
344 responsibility to maintain and complete the advertised amenities  
345 or infrastructure. There is a rebuttable presumption that the  
346 developer has abandoned and deserted the property if the  
347 developer has not engaged in construction or sale of properties  
348 or has unpaid assessments or guaranteed amounts under s. 720.308  
349 for a period of more than 2 years;

350 (e) Upon the developer filing a petition seeking  
351 protection under chapter 7 of the federal Bankruptcy Code;

352 (f) Upon the developer losing title to the property  
353 through a foreclosure action or the transfer of a deed in lieu

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354 of foreclosure unless the successor owner has accepted an  
355 assignment of developer rights and responsibilities; or

356 (g) Upon a receiver for the developer being appointed by a  
357 circuit court and not being discharged within 30 days after such  
358 appointment, unless the court determines within 30 days after  
359 such appointment that transfer of control would be detrimental  
360 to the association or its members.

361  
362 For purposes of this section, the term "members other than the  
363 developer" shall not include builders, contractors, or others  
364 who purchase a parcel for the purpose of constructing  
365 improvements thereon for resale.

366 (2) Members other than the developer are entitled to elect  
367 at least one member of the board of directors of the homeowners'  
368 association if 15 percent of the parcels in all phases of the  
369 community which will ultimately be operated by the association  
370 have been conveyed to members.

371 (3) Members other than the developer are entitled to elect  
372 at least two members of the board of directors of the  
373 homeowners' association if 50 percent of the parcels in all  
374 phases of the community which will ultimately be operated by the  
375 association have been conveyed to members.

376 Section 6. Subsection (1) of section 720.311, Florida  
377 Statutes, is amended, subsection (2) of that section is  
378 renumbered as subsection (4), and subsections (2) and (3) are  
379 added to that section, to read:

380 720.311 Dispute resolution.-

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381 (1) The Legislature finds that alternative dispute  
382 resolution has made progress in reducing court dockets and  
383 trials and in offering a more efficient, cost-effective option  
384 to litigation. The filing of any petition for arbitration,  
385 participation in an internal dispute resolution process, or the  
386 serving of a demand for presuit mediation as provided for in  
387 this section shall toll the applicable statute of limitations.

388 (2) Any recall dispute filed with the department pursuant  
389 to s. 720.303(10) shall be conducted by the department in  
390 accordance with the provisions of ss. 718.112(2)(j) and 718.1255  
391 and the rules adopted by the division. In addition, the  
392 department shall conduct mandatory binding arbitration of  
393 election disputes between a member and an association pursuant  
394 to s. 718.1255 and rules adopted by the division. Neither  
395 election disputes nor recall disputes are eligible for internal  
396 dispute resolution or presuit mediation; these disputes shall be  
397 arbitrated by the department. At the conclusion of the  
398 proceeding, the department shall charge the parties a fee in an  
399 amount adequate to cover all costs and expenses incurred by the  
400 department in conducting the proceeding. Initially, the  
401 petitioner shall remit a filing fee of at least \$200 to the  
402 department. The fees paid to the department shall become a  
403 recoverable cost in the arbitration proceeding, and the  
404 prevailing party in an arbitration proceeding shall recover its  
405 reasonable costs and attorney's fees in an amount found  
406 reasonable by the arbitrator. The department shall adopt rules  
407 to effectuate the purposes of this section.

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408       (3) The association shall provide a fair, reasonable, and  
409 expeditious procedure for resolving disputes concerning rights,  
410 duties, or liabilities under this chapter and the governing  
411 documents. If the association has not adopted such a procedure  
412 by rule, it shall use the procedure in paragraph (b).

413       (a) The internal dispute resolution procedure shall meet  
414 the following criteria:

415           1. The procedure must be in writing.

416           2. A member of the association may not be charged a fee to  
417 participate in the procedure.

418           3. The procedure may be initiated by either party to a  
419 dispute.

420           4. Requests to initiate the procedure must be in writing.

421           5. The procedure must use prompt deadlines and specify the  
422 maximum time for the association to respond to requests to  
423 initiate the procedure.

424           6. If the procedure is initiated by a member, the  
425 association shall participate in the procedure.

426           7. If the procedure is initiated by the association, the  
427 member may refuse to participate in the procedure.

428           8. The procedure shall provide a means by which the  
429 parties may explain their positions.

430           9. If the dispute is resolved other than by agreement of  
431 the parties, the member may appeal to the association's board of  
432 directors.

433           10. Whenever feasible, neutral third parties shall be used  
434 to facilitate resolution.



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435 11. The procedure may not prevent the member from  
436 retaining an attorney or other representative.

437 (b) If the association has not adopted an internal dispute  
438 resolution process, either party to a dispute may initiate the  
439 following procedure, which is subject to the requirements of

440 (a):

441 1. The party may request, in writing, the other party to  
442 meet and confer in an effort to resolve the dispute.

443 2. The association's board of directors shall deliver a  
444 written response to a request from a member within 5 business  
445 days. The response shall designate a member of the board to meet  
446 and confer with the member and include contact information for  
447 the board member.

448 3. The parties shall meet at a mutually convenient time  
449 and place to explain their positions and confer in good faith in  
450 an effort to resolve the dispute within 30 days after the  
451 initial request. The parties may extend this time period by  
452 agreement.

453 4. A resolution of the dispute agreed to by the parties  
454 shall be memorialized in writing and signed by the parties,  
455 including the association's board designee.

456 (c) A resolution of the dispute, which is not in conflict  
457 with general law or the governing documents, is binding on the  
458 association and is judicially enforceable. A written agreement  
459 signed by the parties, which is not in conflict with general law  
460 or the governing documents, is binding on the parties and is  
461 judicially enforceable.

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462 Section 7. Section 720.315, Florida Statutes, is amended  
463 to read:

464 720.315 Passage of ~~special~~ assessments.—

465 (1) Before turnover, the board of directors controlled by  
466 the developer may not levy a special assessment unless a  
467 majority of the members ~~parcel owners~~ other than the developer  
468 has approved the special assessment by a majority vote at a duly  
469 called special meeting of the membership at which a quorum is  
470 present.

471 (2) Before turnover, the board of directors controlled by  
472 the developer may not increase assessments by more than 15  
473 percent unless a majority of the members other than the  
474 developer has approved the increase by a majority vote at a duly  
475 called special meeting of the membership at which a quorum is  
476 present. Increases in assessments pursuant to a schedule of  
477 planned increases provided in the initial governing documents  
478 are not subject to this subsection.

479  
480 For purposes of this section, the term "members other than the  
481 developer" shall not include builders, contractors, or others  
482 who purchase a parcel for the purpose of constructing  
483 improvements thereon for resale.

484 Section 8. This act shall take effect July 1, 2013.

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**T I T L E A M E N D M E N T**

Remove everything before the enacting clause and insert:

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490 An act relating to homeowners' associations; amending s.  
491 468.436, F.S.; providing grounds for disciplinary actions  
492 against community association managers; amending s. 720.303,  
493 F.S.; requiring a homeowners' association to maintain an  
494 internal dispute resolution procedure in the association's  
495 official records; requiring official records to be maintained  
496 within a specified distance of the association for a specified  
497 time; authorizing associations to maintain such records online;  
498 requiring associations to permit members to take photographs of  
499 such records using electronic devices at no charge; removing  
500 provisions allowing the association to charge fees for personnel  
501 costs related to records access; requiring budgets to designate  
502 permissible uses of reserve accounts; requiring a community  
503 association manager, or the association in the absence of a  
504 community association manager, to report certain information to  
505 the Division of Florida Condominiums, Timeshares, and Mobile  
506 Homes; providing an expiration date for the reporting  
507 requirements; creating s. 720.3033, F.S.; requiring association  
508 directors to file with the association secretary written  
509 certification that they have read certain association documents,  
510 will uphold the documents, and will uphold their fiduciary  
511 responsibility to the members; providing for an educational  
512 certificate in lieu of written certification; providing that  
513 such certification is valid while the director is on the board;  
514 providing penalties for failure to file such certification;  
515 requiring the association secretary to retain such certification  
516 for 5 years; requiring the board to follow specified procedures  
517 relating to contracts or transactions between the association

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518 and certain entities; providing for disclosure of the contract  
519 or transaction to members; providing for the cancellation of  
520 such contract or transaction under certain circumstances;  
521 prohibiting any association officer, director, or manager from  
522 soliciting or receiving certain personal benefits from any  
523 person providing or offering to provide goods or services to the  
524 association and providing for removal for violations; providing  
525 an exception; providing for the removal of any director or  
526 officer charged with a felony theft or embezzlement offense  
527 involving association funds or property; providing for the  
528 reinstatement of such person under certain circumstances;  
529 prohibiting a member with pending criminal charges from certain  
530 positions; requiring the association to maintain insurance or a  
531 bond to cover funds that will be in the custody of the  
532 association or its management agent; providing a definition;  
533 amending s. 720.306, F.S.; revising procedures for the election  
534 of directors; amending s. 720.307, F.S.; providing additional  
535 circumstances for authorizing members to elect a majority of  
536 association board members; providing circumstances under which  
537 members other than the developer are authorized to elect a  
538 specified number of members to the board of directors; amending  
539 s. 720.311, F.S.; requiring associations to adopt internal  
540 dispute resolution procedures; providing minimum requirements  
541 for such procedures; providing for an internal dispute  
542 resolution in the absence of a procedure adopted by the  
543 association; providing that certain resolutions and agreements  
544 are binding and judicially enforceable; amending s. 720.315,  
545 F.S.; prohibiting increases in assessments levied pursuant to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7119 (2013)

Amendment No. 1

546 | the annual budget under certain circumstances; providing an  
547 | effective date.