

1 A bill to be entitled

2 An act relating to condominiums; amending s. 718.112,
3 F.S.; limiting the application of certain requirements
4 relating to bylaws to residential condominiums and
5 their associations and boards; amending s. 718.113,
6 F.S.; revising applicability of certain requirements
7 relating to the installation and maintenance of code-
8 compliant hurricane protection; amending s. 718.1255,
9 F.S.; providing for nonapplicability of alternative
10 dispute resolution requirements relating to
11 residential condominiums; amending s. 718.1256, F.S.;
12 limiting the application of property and casualty
13 insurance risk classification to residential
14 condominiums; amending s. 718.403, F.S.; limiting
15 applicability of certain requirements relating to
16 phase condominiums to residential condominiums;
17 amending s. 718.707, F.S.; extending the period within
18 which persons who acquire condominium parcels may be
19 classified as bulk assignees or bulk buyers; providing
20 an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Paragraphs (a), (b), (d), (k), and (l) of
25 subsection (2) of section 718.112, Florida Statutes, are amended
26 to read:

27 718.112 Bylaws.—

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

31 (a) Administration.—

32 1. The form of administration of the association shall be
33 described indicating the title of the officers and board of
34 administration and specifying the powers, duties, manner of
35 selection and removal, and compensation, if any, of officers and
36 boards. In the absence of such a provision, the board of
37 administration shall be composed of five members, except in the
38 case of a condominium which has five or fewer units, in which
39 case in a not-for-profit corporation the board shall consist of
40 not fewer than three members. In the absence of provisions to
41 the contrary in the bylaws, the board of administration shall
42 have a president, a secretary, and a treasurer, who shall
43 perform the duties of such officers customarily performed by
44 officers of corporations. Unless prohibited in the bylaws, the
45 board of administration may appoint other officers and grant
46 them the duties it deems appropriate. Unless otherwise provided
47 in the bylaws, the officers shall serve without compensation and
48 at the pleasure of the board of administration. Unless otherwise
49 provided in the bylaws, the members of the board shall serve
50 without compensation.

51 2. When a unit owner of a residential condominium files a
52 written inquiry by certified mail with the board of

53 administration, the board shall respond in writing to the unit
54 owner within 30 days after ~~of~~ receipt of the inquiry. The
55 board's response shall either give a substantive response to the
56 inquirer, notify the inquirer that a legal opinion has been
57 requested, or notify the inquirer that advice has been requested
58 from the division. If the board requests advice from the
59 division, the board shall, within 10 days after ~~of~~ its receipt
60 of the advice, provide in writing a substantive response to the
61 inquirer. If a legal opinion is requested, the board shall,
62 within 60 days after the receipt of the inquiry, provide in
63 writing a substantive response to the inquiry. The failure to
64 provide a substantive response to the inquiry as provided herein
65 precludes the board from recovering attorney ~~attorney's~~ fees and
66 costs in any subsequent litigation, administrative proceeding,
67 or arbitration arising out of the inquiry. The association may
68 through its board of administration adopt reasonable rules and
69 regulations regarding the frequency and manner of responding to
70 unit owner inquiries, one of which may be that the association
71 is only obligated to respond to one written inquiry per unit in
72 any given 30-day period. In such a case, any additional inquiry
73 or inquiries must be responded to in the subsequent 30-day
74 period, or periods, as applicable.

75 (b) Quorum; voting requirements; proxies.—

76 1. Unless a lower number is provided in the bylaws, the
77 percentage of voting interests required to constitute a quorum
78 at a meeting of the members is a majority of the voting

79 interests. Unless otherwise provided in this chapter or in the
80 declaration, articles of incorporation, or bylaws, and except as
81 provided in subparagraph (d)4., decisions shall be made by a
82 majority of the voting interests represented at a meeting at
83 which a quorum is present.

84 2. Except as specifically otherwise provided herein, unit
85 owners in a residential condominium may not vote by general
86 proxy, but may vote by limited proxies substantially conforming
87 to a limited proxy form adopted by the division. A voting
88 interest or consent right allocated to a unit owned by the
89 association may not be exercised or considered for any purpose,
90 whether for a quorum, an election, or otherwise. Limited proxies
91 and general proxies may be used to establish a quorum. Limited
92 proxies shall be used for votes taken to waive or reduce
93 reserves in accordance with subparagraph (f)2.; for votes taken
94 to waive the financial reporting requirements of s. 718.111(13);
95 for votes taken to amend the declaration pursuant to s. 718.110;
96 for votes taken to amend the articles of incorporation or bylaws
97 pursuant to this section; and for any other matter for which
98 this chapter requires or permits a vote of the unit owners.
99 Except as provided in paragraph (d), a proxy, limited or
100 general, may not be used in the election of board members in a
101 residential condominium. General proxies may be used for other
102 matters for which limited proxies are not required, and may be
103 used in voting for nonsubstantive changes to items for which a
104 limited proxy is required and given. Notwithstanding this

105 subparagraph, unit owners may vote in person at unit owner
106 meetings. This subparagraph does not limit the use of general
107 proxies or require the use of limited proxies for any agenda
108 item or election at any meeting of a timeshare condominium
109 association or a nonresidential condominium association.

110 3. A ~~Any~~ proxy given is effective only for the specific
111 meeting for which originally given and any lawfully adjourned
112 meetings thereof. A proxy is not valid longer than 90 days after
113 the date of the first meeting for which it was given. Each ~~Every~~
114 proxy is revocable at any time at the pleasure of the unit owner
115 executing it.

116 4. A member of the board of administration or a committee
117 may submit in writing his or her agreement or disagreement with
118 any action taken at a meeting that the member did not attend.
119 This agreement or disagreement may not be used as a vote for or
120 against the action taken or to create a quorum.

121 5. If any of the board or committee members meet by
122 telephone conference, those board or committee members may be
123 counted toward obtaining a quorum and may vote by telephone. A
124 telephone speaker must be used so that the conversation of those
125 members may be heard by the board or committee members attending
126 in person as well as by any unit owners present at a meeting.

127 (d) Unit owner meetings.—

128 1. An annual meeting of the unit owners shall be held at
129 the location provided in the association bylaws and, if the
130 bylaws are silent as to the location, the meeting shall be held

131 within 45 miles of the condominium property. However, such
132 distance requirement does not apply to an association governing
133 a timeshare condominium.

134 2. Unless the bylaws provide otherwise, a vacancy on the
135 board caused by the expiration of a director's term shall be
136 filled by electing a new board member, and the election must be
137 by secret ballot. An election is not required if the number of
138 vacancies equals or exceeds the number of candidates. For
139 purposes of this paragraph, the term "candidate" means an
140 eligible person who has timely submitted the written notice, as
141 described in sub-subparagraph 4.a., of his or her intention to
142 become a candidate. Except in a timeshare or nonresidential
143 condominium, or if the staggered term of a board member does not
144 expire until a later annual meeting, or if all members' terms
145 would otherwise expire but there are no candidates, the terms of
146 all board members expire at the annual meeting, and such members
147 may stand for reelection unless prohibited by the bylaws. If the
148 bylaws or articles of incorporation permit terms of no more than
149 2 years, the association board members may serve 2-year terms.
150 If the number of board members whose terms expire at the annual
151 meeting equals or exceeds the number of candidates, the
152 candidates become members of the board effective upon the
153 adjournment of the annual meeting. Unless the bylaws provide
154 otherwise, any remaining vacancies shall be filled by the
155 affirmative vote of the majority of the directors making up the
156 newly constituted board even if the directors constitute less

157 | than a quorum or there is only one director. In a residential
158 | condominium association of more than 10 units or in a
159 | residential condominium association that does not include
160 | timeshare units or timeshare interests, coowners of a unit may
161 | not serve as members of the board of directors at the same time
162 | unless they own more than one unit or unless there are not
163 | enough eligible candidates to fill the vacancies on the board at
164 | the time of the vacancy. A ~~Any~~ unit owner in a residential
165 | condominium desiring to be a candidate for board membership must
166 | comply with sub-subparagraph 4.a. and must be eligible to be a
167 | candidate to serve on the board of directors at the time of the
168 | deadline for submitting a notice of intent to run in order to
169 | have his or her name listed as a proper candidate on the ballot
170 | or to serve on the board. A person who has been suspended or
171 | removed by the division under this chapter, or who is delinquent
172 | in the payment of any monetary obligation due to the
173 | association, is not eligible to be a candidate for board
174 | membership and may not be listed on the ballot. A person who has
175 | been convicted of any felony in this state or in a United States
176 | District or Territorial Court, or who has been convicted of any
177 | offense in another jurisdiction which would be considered a
178 | felony if committed in this state, is not eligible for board
179 | membership unless such felon's civil rights have been restored
180 | for at least 5 years as of the date such person seeks election
181 | to the board. The validity of an action by the board is not
182 | affected if it is later determined that a board member is

183 ineligible for board membership due to having been convicted of
184 a felony. This subparagraph does not limit the term of a member
185 of the board of a nonresidential condominium.

186 3. The bylaws must provide the method of calling meetings
187 of unit owners, including annual meetings. Written notice must
188 include an agenda, must be mailed, hand delivered, or
189 electronically transmitted to each unit owner at least 14 days
190 before the annual meeting, and must be posted in a conspicuous
191 place on the condominium property at least 14 continuous days
192 before the annual meeting. Upon notice to the unit owners, the
193 board shall, by duly adopted rule, designate a specific location
194 on the condominium property or association property where all
195 notices of unit owner meetings shall be posted. This requirement
196 does not apply if there is no condominium property or
197 association property for posting notices. In lieu of, or in
198 addition to, the physical posting of meeting notices, the
199 association may, by reasonable rule, adopt a procedure for
200 conspicuously posting and repeatedly broadcasting the notice and
201 the agenda on a closed-circuit cable television system serving
202 the condominium association. However, if broadcast notice is
203 used in lieu of a notice posted physically on the condominium
204 property, the notice and agenda must be broadcast at least four
205 times every broadcast hour of each day that a posted notice is
206 otherwise required under this section. If broadcast notice is
207 provided, the notice and agenda must be broadcast in a manner
208 and for a sufficient continuous length of time so as to allow an

209 average reader to observe the notice and read and comprehend the
210 entire content of the notice and the agenda. Unless a unit owner
211 waives in writing the right to receive notice of the annual
212 meeting, such notice must be hand delivered, mailed, or
213 electronically transmitted to each unit owner. Notice for
214 meetings and notice for all other purposes must be mailed to
215 each unit owner at the address last furnished to the association
216 by the unit owner, or hand delivered to each unit owner.
217 However, if a unit is owned by more than one person, the
218 association must provide notice to the address that the
219 developer identifies for that purpose and thereafter as one or
220 more of the owners of the unit advise the association in
221 writing, or if no address is given or the owners of the unit do
222 not agree, to the address provided on the deed of record. An
223 officer of the association, or the manager or other person
224 providing notice of the association meeting, must provide an
225 affidavit or United States Postal Service certificate of
226 mailing, to be included in the official records of the
227 association affirming that the notice was mailed or hand
228 delivered in accordance with this provision.

229 4. The members of the board of a residential condominium
230 shall be elected by written ballot or voting machine. Proxies
231 may not be used in electing the board in general elections or
232 elections to fill vacancies caused by recall, resignation, or
233 otherwise, unless otherwise provided in this chapter. This
234 subparagraph does not apply to an association governing a

235 timeshare condominium.

236 a. At least 60 days before a scheduled election, the
237 association shall mail, deliver, or electronically transmit, by
238 separate association mailing or included in another association
239 mailing, delivery, or transmission, including regularly
240 published newsletters, to each unit owner entitled to a vote, a
241 first notice of the date of the election. A ~~Any~~ unit owner or
242 other eligible person desiring to be a candidate for the board
243 must give written notice of his or her intent to be a candidate
244 to the association at least 40 days before a scheduled election.
245 Together with the written notice and agenda as set forth in
246 subparagraph 3., the association shall mail, deliver, or
247 electronically transmit a second notice of the election to all
248 unit owners entitled to vote, together with a ballot that lists
249 all candidates. Upon request of a candidate, an information
250 sheet, no larger than 8 1/2 inches by 11 inches, which must be
251 furnished by the candidate at least 35 days before the election,
252 must be included with the mailing, delivery, or transmission of
253 the ballot, with the costs of mailing, delivery, or electronic
254 transmission and copying to be borne by the association. The
255 association is not liable for the contents of the information
256 sheets prepared by the candidates. In order to reduce costs, the
257 association may print or duplicate the information sheets on
258 both sides of the paper. The division shall by rule establish
259 voting procedures consistent with this sub-subparagraph,
260 including rules establishing procedures for giving notice by

261 | electronic transmission and rules providing for the secrecy of
262 | ballots. Elections shall be decided by a plurality of ballots
263 | cast. There is no quorum requirement; however, at least 20
264 | percent of the eligible voters must cast a ballot in order to
265 | have a valid election. A unit owner may not permit any other
266 | person to vote his or her ballot, and any ballots improperly
267 | cast are invalid. A unit owner who violates this provision may
268 | be fined by the association in accordance with s. 718.303. A
269 | unit owner who needs assistance in casting the ballot for the
270 | reasons stated in s. 101.051 may obtain such assistance. The
271 | regular election must occur on the date of the annual meeting.
272 | Notwithstanding this sub-subparagraph, an election is not
273 | required unless more candidates file notices of intent to run or
274 | are nominated than board vacancies exist.

275 | b. Within 90 days after being elected or appointed to the
276 | board of an association of a residential condominium, each newly
277 | elected or appointed director shall certify in writing to the
278 | secretary of the association that he or she has read the
279 | association's declaration of condominium, articles of
280 | incorporation, bylaws, and current written policies; that he or
281 | she will work to uphold such documents and policies to the best
282 | of his or her ability; and that he or she will faithfully
283 | discharge his or her fiduciary responsibility to the
284 | association's members. In lieu of this written certification,
285 | within 90 days after being elected or appointed to the board,
286 | the newly elected or appointed director may submit a certificate

287 of having satisfactorily completed the educational curriculum
288 administered by a division-approved condominium education
289 provider within 1 year before or 90 days after the date of
290 election or appointment. The written certification or
291 educational certificate is valid and does not have to be
292 resubmitted as long as the director serves on the board without
293 interruption. A director of an association of a residential
294 condominium who fails to timely file the written certification
295 or educational certificate is suspended from service on the
296 board until he or she complies with this sub-subparagraph. The
297 board may temporarily fill the vacancy during the period of
298 suspension. The secretary shall cause the association to retain
299 a director's written certification or educational certificate
300 for inspection by the members for 5 years after a director's
301 election or the duration of the director's uninterrupted tenure,
302 whichever is longer. Failure to have such written certification
303 or educational certificate on file does not affect the validity
304 of any board action.

305 c. Any challenge to the election process must be commenced
306 within 60 days after the election results are announced.

307 5. Any approval by unit owners called for by this chapter
308 or the applicable declaration or bylaws, including, but not
309 limited to, the approval requirement in s. 718.111(8), must be
310 made at a duly noticed meeting of unit owners and is subject to
311 all requirements of this chapter or the applicable condominium
312 documents relating to unit owner decisionmaking, except that

313 unit owners may take action by written agreement, without
314 meetings, on matters for which action by written agreement
315 without meetings is expressly allowed by the applicable bylaws
316 or declaration or any law that provides for such action.

317 6. Unit owners may waive notice of specific meetings if
318 allowed by the applicable bylaws or declaration or any law. If
319 authorized by the bylaws, notice of meetings of the board of
320 administration, unit owner meetings, except unit owner meetings
321 called to recall board members under paragraph (j), and
322 committee meetings may be given by electronic transmission to
323 unit owners who consent to receive notice by electronic
324 transmission.

325 7. Unit owners have the right to participate in meetings
326 of unit owners with reference to all designated agenda items.
327 However, the association may adopt reasonable rules governing
328 the frequency, duration, and manner of unit owner participation.

329 8. A unit owner may tape record or videotape a meeting of
330 the unit owners subject to reasonable rules adopted by the
331 division.

332 9. Unless otherwise provided in the bylaws, any vacancy
333 occurring on the board before the expiration of a term may be
334 filled by the affirmative vote of the majority of the remaining
335 directors, even if the remaining directors constitute less than
336 a quorum, or by the sole remaining director. In the alternative,
337 a board may hold an election to fill the vacancy, in which case
338 the election procedures must conform to sub-subparagraph 4.a.

339 unless the association governs 10 units or fewer and has opted
340 out of the statutory election process, in which case the bylaws
341 of the association control. Unless otherwise provided in the
342 bylaws, a board member appointed or elected under this section
343 shall fill the vacancy for the unexpired term of the seat being
344 filled. Filling vacancies created by recall is governed by
345 paragraph (j) and rules adopted by the division.

346 10. This chapter does not limit the use of general or
347 limited proxies, require the use of general or limited proxies,
348 or require the use of a written ballot or voting machine for any
349 agenda item or election at any meeting of a timeshare
350 condominium association or nonresidential condominium
351 association.

352
353 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
354 association of 10 or fewer units may, by affirmative vote of a
355 majority of the total voting interests, provide for different
356 voting and election procedures in its bylaws, which may be by a
357 proxy specifically delineating the different voting and election
358 procedures. The different voting and election procedures may
359 provide for elections to be conducted by limited or general
360 proxy.

361 (k) Arbitration.—There shall be a provision for mandatory
362 nonbinding arbitration as provided for in s. 718.1255 for any
363 residential condominium.

364 (l) Certificate of compliance.— A provision that a

365 certificate of compliance from a licensed electrical contractor
366 or electrician may be accepted by the association's board as
367 evidence of compliance of the condominium units with the
368 applicable fire and life safety code must be included.
369 Notwithstanding chapter 633 or of any other code, statute,
370 ordinance, administrative rule, or regulation, or any
371 interpretation of the foregoing, an association, residential
372 condominium, or unit owner is not obligated to retrofit the
373 common elements, association property, or units of a residential
374 condominium with a fire sprinkler system in a building that has
375 been certified for occupancy by the applicable governmental
376 entity if the unit owners have voted to forego such retrofitting
377 by the affirmative vote of a majority of all voting interests in
378 the affected condominium. The local authority having
379 jurisdiction may not require completion of retrofitting with a
380 fire sprinkler system before January 1, 2020 ~~the end of 2019~~. By
381 December 31, 2016, a residential condominium ~~an~~ association that
382 is not in compliance with the requirements for a fire sprinkler
383 system and has not voted to forego retrofitting of such a system
384 must initiate an application for a building permit for the
385 required installation with the local government having
386 jurisdiction demonstrating that the association will become
387 compliant by December 31, 2019.

388 1. A vote to forego retrofitting may be obtained by
389 limited proxy or by a ballot personally cast at a duly called
390 membership meeting, or by execution of a written consent by the

391 member, and is effective upon recording a certificate attesting
392 to such vote in the public records of the county where the
393 condominium is located. The association shall mail or hand
394 deliver to each unit owner written notice at least 14 days
395 before the membership meeting in which the vote to forego
396 retrofitting of the required fire sprinkler system is to take
397 place. Within 30 days after the association's opt-out vote,
398 notice of the results of the opt-out vote must be mailed or hand
399 delivered to all unit owners. Evidence of compliance with this
400 notice requirement must be made by affidavit executed by the
401 person providing the notice and filed among the official records
402 of the association. After notice is provided to each owner, a
403 copy must be provided by the current owner to a new owner before
404 closing and by a unit owner to a renter before signing a lease.

405 2. If there has been a previous vote to forego
406 retrofitting, a vote to require retrofitting may be obtained at
407 a special meeting of the unit owners called by a petition of at
408 least 10 percent of the voting interests. Such a vote may only
409 be called once every 3 years. Notice shall be provided as
410 required for any regularly called meeting of the unit owners,
411 and must state the purpose of the meeting. Electronic
412 transmission may not be used to provide notice of a meeting
413 called in whole or in part for this purpose.

414 3. As part of the information collected annually from
415 condominiums, the division shall require condominium
416 associations to report the membership vote and recording of a

417 certificate under this subsection and, if retrofitting has been
418 undertaken, the per-unit cost of such work. The division shall
419 annually report to the Division of State Fire Marshal of the
420 Department of Financial Services the number of condominiums that
421 have elected to forego retrofitting.

422 4. Notwithstanding s. 553.509, a residential ~~an~~
423 association may not be obligated to, and may forego the
424 retrofitting of, any improvements required by s. 553.509(2) upon
425 an affirmative vote of a majority of the voting interests in the
426 affected condominium.

427 Section 2. Subsection (5) of section 718.113, Florida
428 Statutes, is amended to read:

429 718.113 Maintenance; limitation upon improvement; display
430 of flag; hurricane shutters and protection; display of religious
431 decorations.—

432 (5) Each board of administration of a residential
433 condominium shall adopt hurricane shutter specifications for
434 each building within each condominium operated by the
435 association which shall include color, style, and other factors
436 deemed relevant by the board. All specifications adopted by the
437 board must comply with the applicable building code.

438 (a) The board may, subject to s. 718.3026 and the approval
439 of a majority of voting interests of the residential
440 condominium, install hurricane shutters, impact glass, code-
441 compliant windows or doors, or other types of code-compliant
442 hurricane protection that comply with or exceed the applicable

443 building code. However, a vote of the owners is not required if
444 the maintenance, repair, and replacement of hurricane shutters,
445 impact glass, code-compliant windows or doors, or other types of
446 code-compliant hurricane protection are the responsibility of
447 the association pursuant to the declaration of condominium. If
448 hurricane protection or laminated glass or window film
449 architecturally designed to function as hurricane protection
450 that complies with or exceeds the current applicable building
451 code has been previously installed, the board may not install
452 hurricane shutters, impact glass, code-compliant windows or
453 doors, or other types of code-compliant hurricane protection
454 except upon approval by a majority vote of the voting interests.

455 (b) The association is responsible for the maintenance,
456 repair, and replacement of the hurricane shutters, impact glass,
457 code-compliant windows or doors, or other types of code-
458 compliant hurricane protection authorized by this subsection if
459 such property is the responsibility of the association pursuant
460 to the declaration of condominium. If the hurricane shutters,
461 impact glass, code-compliant windows or doors, or other types of
462 code-compliant hurricane protection are the responsibility of
463 the unit owners pursuant to the declaration of condominium, the
464 maintenance, repair, and replacement of such items are the
465 responsibility of the unit owner.

466 (c) The board may operate shutters, impact glass, code-
467 compliant windows or doors, or other types of code-compliant
468 hurricane protection installed pursuant to this subsection

469 without permission of the unit owners only if such operation is
 470 necessary to preserve and protect the condominium property and
 471 association property. The installation, replacement, operation,
 472 repair, and maintenance of such shutters, impact glass, code-
 473 compliant windows or doors, or other types of code-compliant
 474 hurricane protection in accordance with the procedures set forth
 475 in this paragraph are not a material alteration to the common
 476 elements or association property within the meaning of this
 477 section.

478 (d) Notwithstanding any other provision in the residential
 479 condominium documents, if approval is required by the documents,
 480 a board may not refuse to approve the installation or
 481 replacement of hurricane shutters, impact glass, code-compliant
 482 windows or doors, or other types of code-compliant hurricane
 483 protection by a unit owner conforming to the specifications
 484 adopted by the board.

485 Section 3. Subsection (6) is added to section 718.1255,
 486 Florida Statutes, to read:

487 718.1255 Alternative dispute resolution; voluntary
 488 mediation; mandatory nonbinding arbitration; legislative
 489 findings.—

490 (6) APPLICABILITY.—This section does not apply to a
 491 nonresidential condominium unless otherwise specifically
 492 provided for in the declaration of a nonresidential condominium.

493 Section 4. Section 718.1256, Florida Statutes, is amended
 494 to read:

495 718.1256 Condominiums as residential property.—For the
 496 purpose of property and casualty insurance risk classification,
 497 residential condominiums shall be classed as residential
 498 property.

499 Section 5. Subsection (1) of section 718.403, Florida
 500 Statutes, is reenacted, paragraph (a) of subsection (2) is
 501 amended, and subsection (9) is added to that section, to read:

502 718.403 Phase condominiums.—

503 (1) Notwithstanding the provisions of s. 718.110, a
 504 developer may develop a condominium in phases, if the original
 505 declaration of condominium submitting the initial phase to
 506 condominium ownership or an amendment to the declaration which
 507 has been approved by all of the unit owners and unit mortgagees
 508 provides for and describes in detail all anticipated phases; the
 509 impact, if any, which the completion of subsequent phases would
 510 have upon the initial phase; and the time period within which
 511 all phases must be added to the condominium and comply with the
 512 requirements of this section and at the end of which the right
 513 to add additional phases expires.

514 (a) All phases must be added to the condominium within 7
 515 years after the date of the recording of the certificate of a
 516 surveyor and mapper pursuant to s. 718.104(4)(e) or the
 517 recording of an instrument that transfers title to a unit in the
 518 condominium which is not accompanied by a recorded assignment of
 519 developer rights in favor of the grantee of such unit, whichever
 520 occurs first, unless the unit owners vote to approve an

521 amendment extending the 7-year period pursuant to paragraph (b).

522 (b) An amendment to extend the 7-year period shall require
523 the approval of the owners necessary to amend the declaration of
524 condominium pursuant to s. 718.110(1)(a). An extension of the 7-
525 year period may be submitted for approval only during the last 3
526 years of the 7-year period.

527 (c) An amendment must describe the time period within
528 which all phases must be added to the condominium, and such time
529 period may not exceed 10 years from the date of the recording of
530 the certificate of a surveyor and mapper pursuant to s.
531 718.104(4)(e) or the recording of an instrument that transfers
532 title to a unit in the condominium which is not accompanied by a
533 recorded assignment of developer rights in favor of the grantee
534 of such unit, whichever occurs first.

535 (d) An amendment that extends the 7-year period pursuant
536 to this section is not subject to the requirements of s.
537 718.110(4).

538 (2) The original declaration of condominium, or an
539 amendment to the declaration, which amendment has been approved
540 by all unit owners and unit mortgagees and the developer, shall
541 describe:

542 (a) The land which may become part of the condominium and
543 the land on which each phase is to be built. The descriptions
544 shall include metes and bounds or other legal descriptions of
545 the land for each phase, plot plans, and surveys. Plot plans,
546 attached as an exhibit, must show the approximate location of

547 all existing and proposed buildings and improvements that may
548 ultimately be contained within the condominium. The plot plan
549 may be modified by the developer as to unit or building types
550 but, in a residential condominium, to the extent that such
551 modifications must be ~~changes are~~ described in the declaration.
552 If provided in the declaration, the developer may make
553 nonmaterial changes in the legal description of a phase.

554 (9) Paragraphs (2) (b)-(f) and subsection (8) do not apply
555 to nonresidential condominiums.

556 Section 6. Section 718.707, Florida Statutes, is amended
557 to read:

558 718.707 Time limitation for classification as bulk
559 assignee or bulk buyer.—A person acquiring condominium parcels
560 may not be classified as a bulk assignee or bulk buyer unless
561 the condominium parcels were acquired on or after July 1, 2010,
562 but before July 1, 2016 ~~2015~~. The date of such acquisition shall
563 be determined by the date of recording a deed or other
564 instrument of conveyance for such parcels in the public records
565 of the county in which the condominium is located, or by the
566 date of issuing a certificate of title in a foreclosure
567 proceeding with respect to such condominium parcels.

568 Section 7. This act shall take effect July 1, 2014.