

A bill to be entitled

An act relating to condominiums; amending s. 718.112, F.S.; limiting the application of certain requirements relating to bylaws to residential condominiums and their associations and boards; amending s. 718.113, F.S.; revising applicability of certain requirements relating to the installation and maintenance of code-compliant hurricane protection; amending s. 718.1255, F.S.; providing for nonapplicability of alternative dispute resolution requirements relating to residential condominiums; amending s. 718.403, F.S.; limiting applicability of certain requirements relating to phase condominiums to residential condominiums; amending s. 718.707, F.S.; extending the period within which persons who acquire condominium parcels may be classified as bulk assignees or bulk buyers; providing an effective date.

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

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

718.112 Bylaws.—

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

27 the following:

28 (a) Administration.—

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

48 2. When a unit owner of a residential condominium files a
49 written inquiry by certified mail with the board of
50 administration, the board shall respond in writing to the unit
51 owner within 30 days after ~~of~~ receipt of the inquiry. The
52 board's response shall either give a substantive response to the

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

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

73 1. Unless a lower number is provided in the bylaws, the
74 percentage of voting interests required to constitute a quorum
75 at a meeting of the members is a majority of the voting
76 interests. Unless otherwise provided in this chapter or in the
77 declaration, articles of incorporation, or bylaws, and except as
78 provided in subparagraph (d)4., decisions shall be made by a

79 majority of the voting interests represented at a meeting at
80 which a quorum is present.

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

105 item or election at any meeting of a timeshare condominium
106 association or a nonresidential condominium association.

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

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

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

124 (d) Unit owner meetings.—

125 1. An annual meeting of the unit owners shall be held at
126 the location provided in the association bylaws and, if the
127 bylaws are silent as to the location, the meeting shall be held
128 within 45 miles of the condominium property. However, such
129 distance requirement does not apply to an association governing
130 a timeshare condominium.

131 2. Unless the bylaws provide otherwise, a vacancy on the
132 board caused by the expiration of a director's term shall be
133 filled by electing a new board member, and the election must be
134 by secret ballot. An election is not required if the number of
135 vacancies equals or exceeds the number of candidates. For
136 purposes of this paragraph, the term "candidate" means an
137 eligible person who has timely submitted the written notice, as
138 described in sub-subparagraph 4.a., of his or her intention to
139 become a candidate. Except in a timeshare or nonresidential
140 condominium, or if the staggered term of a board member does not
141 expire until a later annual meeting, or if all members' terms
142 would otherwise expire but there are no candidates, the terms of
143 all board members expire at the annual meeting, and such members
144 may stand for reelection unless prohibited by the bylaws. If the
145 bylaws or articles of incorporation permit terms of no more than
146 2 years, the association board members may serve 2-year terms.
147 If the number of board members whose terms expire at the annual
148 meeting equals or exceeds the number of candidates, the
149 candidates become members of the board effective upon the
150 adjournment of the annual meeting. Unless the bylaws provide
151 otherwise, any remaining vacancies shall be filled by the
152 affirmative vote of the majority of the directors making up the
153 newly constituted board even if the directors constitute less
154 than a quorum or there is only one director. In a residential
155 condominium association of more than 10 units or in a
156 residential condominium association that does not include

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

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

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

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

233 a. At least 60 days before a scheduled election, the
234 association shall mail, deliver, or electronically transmit, by

235 separate association mailing or included in another association
236 mailing, delivery, or transmission, including regularly
237 published newsletters, to each unit owner entitled to a vote, a
238 first notice of the date of the election. A ~~Any~~ unit owner or
239 other eligible person desiring to be a candidate for the board
240 must give written notice of his or her intent to be a candidate
241 to the association at least 40 days before a scheduled election.
242 Together with the written notice and agenda as set forth in
243 subparagraph 3., the association shall mail, deliver, or
244 electronically transmit a second notice of the election to all
245 unit owners entitled to vote, together with a ballot that lists
246 all candidates. Upon request of a candidate, an information
247 sheet, no larger than 8 1/2 inches by 11 inches, which must be
248 furnished by the candidate at least 35 days before the election,
249 must be included with the mailing, delivery, or transmission of
250 the ballot, with the costs of mailing, delivery, or electronic
251 transmission and copying to be borne by the association. The
252 association is not liable for the contents of the information
253 sheets prepared by the candidates. In order to reduce costs, the
254 association may print or duplicate the information sheets on
255 both sides of the paper. The division shall by rule establish
256 voting procedures consistent with this sub-subparagraph,
257 including rules establishing procedures for giving notice by
258 electronic transmission and rules providing for the secrecy of
259 ballots. Elections shall be decided by a plurality of ballots
260 cast. There is no quorum requirement; however, at least 20

261 percent of the eligible voters must cast a ballot in order to
262 have a valid election. A unit owner may not permit any other
263 person to vote his or her ballot, and any ballots improperly
264 cast are invalid. A unit owner who violates this provision may
265 be fined by the association in accordance with s. 718.303. A
266 unit owner who needs assistance in casting the ballot for the
267 reasons stated in s. 101.051 may obtain such assistance. The
268 regular election must occur on the date of the annual meeting.
269 Notwithstanding this sub-subparagraph, an election is not
270 required unless more candidates file notices of intent to run or
271 are nominated than board vacancies exist.

272 b. Within 90 days after being elected or appointed to the
273 board of an association of a residential condominium, each newly
274 elected or appointed director shall certify in writing to the
275 secretary of the association that he or she has read the
276 association's declaration of condominium, articles of
277 incorporation, bylaws, and current written policies; that he or
278 she will work to uphold such documents and policies to the best
279 of his or her ability; and that he or she will faithfully
280 discharge his or her fiduciary responsibility to the
281 association's members. In lieu of this written certification,
282 within 90 days after being elected or appointed to the board,
283 the newly elected or appointed director may submit a certificate
284 of having satisfactorily completed the educational curriculum
285 administered by a division-approved condominium education
286 provider within 1 year before or 90 days after the date of

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

302 | c. Any challenge to the election process must be commenced
303 | within 60 days after the election results are announced.

304 | 5. Any approval by unit owners called for by this chapter
305 | or the applicable declaration or bylaws, including, but not
306 | limited to, the approval requirement in s. 718.111(8), must be
307 | made at a duly noticed meeting of unit owners and is subject to
308 | all requirements of this chapter or the applicable condominium
309 | documents relating to unit owner decisionmaking, except that
310 | unit owners may take action by written agreement, without
311 | meetings, on matters for which action by written agreement
312 | without meetings is expressly allowed by the applicable bylaws

313 or declaration or any law that provides for such action.

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

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

326 8. A unit owner may tape record or videotape a meeting of
327 the unit owners subject to reasonable rules adopted by the
328 division.

329 9. Unless otherwise provided in the bylaws, any vacancy
330 occurring on the board before the expiration of a term may be
331 filled by the affirmative vote of the majority of the remaining
332 directors, even if the remaining directors constitute less than
333 a quorum, or by the sole remaining director. In the alternative,
334 a board may hold an election to fill the vacancy, in which case
335 the election procedures must conform to sub-subparagraph 4.a.
336 unless the association governs 10 units or fewer and has opted
337 out of the statutory election process, in which case the bylaws
338 of the association control. Unless otherwise provided in the

339 | bylaws, a board member appointed or elected under this section
 340 | shall fill the vacancy for the unexpired term of the seat being
 341 | filled. Filling vacancies created by recall is governed by
 342 | paragraph (j) and rules adopted by the division.

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

349 |
 350 | Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
 351 | association of 10 or fewer units may, by affirmative vote of a
 352 | majority of the total voting interests, provide for different
 353 | voting and election procedures in its bylaws, which may be by a
 354 | proxy specifically delineating the different voting and election
 355 | procedures. The different voting and election procedures may
 356 | provide for elections to be conducted by limited or general
 357 | proxy.

358 | (k) Arbitration.—There shall be a provision for mandatory
 359 | nonbinding arbitration as provided for in s. 718.1255 for any
 360 | residential condominium.

361 | (l) Certificate of compliance.— A provision that a
 362 | certificate of compliance from a licensed electrical contractor
 363 | or electrician may be accepted by the association's board as
 364 | evidence of compliance of the condominium units with the

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

385 1. A vote to forego retrofitting may be obtained by
386 limited proxy or by a ballot personally cast at a duly called
387 membership meeting, or by execution of a written consent by the
388 member, and is effective upon recording a certificate attesting
389 to such vote in the public records of the county where the
390 condominium is located. The association shall mail or hand

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

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

411 3. As part of the information collected annually from
412 condominiums, the division shall require condominium
413 associations to report the membership vote and recording of a
414 certificate under this subsection and, if retrofitting has been
415 undertaken, the per-unit cost of such work. The division shall
416 annually report to the Division of State Fire Marshal of the

417 Department of Financial Services the number of condominiums that
 418 have elected to forego retrofitting.

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

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

426 718.113 Maintenance; limitation upon improvement; display
 427 of flag; hurricane shutters and protection; display of religious
 428 decorations.—

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

435 (a) The board may, subject to s. 718.3026 and the approval
 436 of a majority of voting interests of the residential
 437 condominium, install hurricane shutters, impact glass, code-
 438 compliant windows or doors, or other types of code-compliant
 439 hurricane protection that comply with or exceed the applicable
 440 building code. However, a vote of the owners is not required if
 441 the maintenance, repair, and replacement of hurricane shutters,
 442 impact glass, code-compliant windows or doors, or other types of

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

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

463 (c) The board may operate shutters, impact glass, code-
464 compliant windows or doors, or other types of code-compliant
465 hurricane protection installed pursuant to this subsection
466 without permission of the unit owners only if such operation is
467 necessary to preserve and protect the condominium property and
468 association property. The installation, replacement, operation,

469 repair, and maintenance of such shutters, impact glass, code-
 470 compliant windows or doors, or other types of code-compliant
 471 hurricane protection in accordance with the procedures set forth
 472 in this paragraph are not a material alteration to the common
 473 elements or association property within the meaning of this
 474 section.

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

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

484 718.1255 Alternative dispute resolution; voluntary
 485 mediation; mandatory nonbinding arbitration; legislative
 486 findings.—

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

491 Section 4. Subsection (1) of section 718.403, Florida
 492 Statutes, is reenacted, paragraph (a) of subsection (2) is
 493 amended, and subsection (9) is added to that section, to read:

494 718.403 Phase condominiums.—

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

506 (a) All phases must be added to the condominium within 7
507 years after the date of the recording of the certificate of a
508 surveyor and mapper pursuant to s. 718.104(4)(e) or the
509 recording of an instrument that transfers title to a unit in the
510 condominium which is not accompanied by a recorded assignment of
511 developer rights in favor of the grantee of such unit, whichever
512 occurs first, unless the unit owners vote to approve an
513 amendment extending the 7-year period pursuant to paragraph (b).

514 (b) An amendment to extend the 7-year period shall require
515 the approval of the owners necessary to amend the declaration of
516 condominium pursuant to s. 718.110(1)(a). An extension of the 7-
517 year period may be submitted for approval only during the last 3
518 years of the 7-year period.

519 (c) An amendment must describe the time period within
520 which all phases must be added to the condominium, and such time

521 period may not exceed 10 years from the date of the recording of
 522 the certificate of a surveyor and mapper pursuant to s.
 523 718.104(4)(e) or the recording of an instrument that transfers
 524 title to a unit in the condominium which is not accompanied by a
 525 recorded assignment of developer rights in favor of the grantee
 526 of such unit, whichever occurs first.

527 (d) An amendment that extends the 7-year period pursuant
 528 to this section is not subject to the requirements of s.
 529 718.110(4).

530 (2) The original declaration of condominium, or an
 531 amendment to the declaration, which amendment has been approved
 532 by all unit owners and unit mortgagees and the developer, shall
 533 describe:

534 (a) The land which may become part of the condominium and
 535 the land on which each phase is to be built. The descriptions
 536 shall include metes and bounds or other legal descriptions of
 537 the land for each phase, plot plans, and surveys. Plot plans,
 538 attached as an exhibit, must show the approximate location of
 539 all existing and proposed buildings and improvements that may
 540 ultimately be contained within the condominium. The plot plan
 541 may be modified by the developer as to unit or building types
 542 but, in a residential condominium, to the extent that such
 543 modifications must be ~~changes are~~ described in the declaration.
 544 If provided in the declaration, the developer may make
 545 nonmaterial changes in the legal description of a phase.

546 (9) Paragraphs (2)(b)-(f) and subsection (8) do not apply

547 | to nonresidential condominiums.

548 | Section 5. Section 718.707, Florida Statutes, is amended
549 | to read:

550 | 718.707 Time limitation for classification as bulk
551 | assignee or bulk buyer.—A person acquiring condominium parcels
552 | may not be classified as a bulk assignee or bulk buyer unless
553 | the condominium parcels were acquired on or after July 1, 2010,
554 | but before July 1, 2016 ~~2015~~. The date of such acquisition shall
555 | be determined by the date of recording a deed or other
556 | instrument of conveyance for such parcels in the public records
557 | of the county in which the condominium is located, or by the
558 | date of issuing a certificate of title in a foreclosure
559 | proceeding with respect to such condominium parcels.

560 | Section 6. This act shall take effect July 1, 2014.