

By the Committees on Judiciary; and Regulated Industries; and
Senator Altman

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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.; limiting the application of certain requirements
7 relating to the maintenance of residential
8 condominiums and their associations and boards;
9 amending s. 718.1255, F.S.; exempting nonresidential
10 condominiums from mandatory arbitration unless
11 specifically provided for in their declarations;
12 amending s. 718.403, F.S., and reenacting subsection
13 (1), relating to the authority to develop a
14 condominium in phases; authorizing the developer to
15 modify the plot plan as to unit or building types;
16 limiting the circumstances under which a plot plan may
17 be modified as to a residential condominium;
18 specifying the provisions relating to phase
19 condominiums that are inapplicable to nonresidential
20 condominiums; amending s. 718.707, F.S.; extending by
21 1 year the time limitation for classification as a
22 bulk assignee or bulk buyer; providing an effective
23 date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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

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30 718.112 Bylaws.—

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

34 (a) *Administration*.—

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

54 2. When a unit owner of a residential condominium files a
55 written inquiry by certified mail with the board of
56 administration, the board shall respond in writing to the unit
57 owner within 30 days after ~~of~~ receipt of the inquiry. The
58 board's response shall either give a substantive response to the

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

78 (b) *Quorum; voting requirements; proxies.*—

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

87 2. Except as specifically otherwise provided herein, unit

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

113 3. A ~~Any~~ proxy given is effective only for the specific
114 meeting for which originally given and any lawfully adjourned
115 meetings thereof. A proxy is not valid longer than 90 days after
116 the date of the first meeting for which it was given. Each ~~Every~~

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117 proxy is revocable at any time at the pleasure of the unit owner
118 executing it.

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

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

130 (d) *Unit owner meetings.*—

131 1. An annual meeting of the unit owners shall be held at
132 the location provided in the association bylaws and, if the
133 bylaws are silent as to the location, the meeting shall be held
134 within 45 miles of the condominium property. However, such
135 distance requirement does not apply to an association governing
136 a timeshare condominium.

137 2. Unless the bylaws provide otherwise, a vacancy on the
138 board caused by the expiration of a director's term shall be
139 filled by electing a new board member, and the election must be
140 by secret ballot. An election is not required if the number of
141 vacancies equals or exceeds the number of candidates. For
142 purposes of this paragraph, the term "candidate" means an
143 eligible person who has timely submitted the written notice, as
144 described in sub-subparagraph 4.a., of his or her intention to
145 become a candidate. Except in a timeshare or nonresidential

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146 condominium, or if the staggered term of a board member does not
147 expire until a later annual meeting, or if all members' terms
148 would otherwise expire but there are no candidates, the terms of
149 all board members expire at the annual meeting, and such members
150 may stand for reelection unless prohibited by the bylaws. If the
151 bylaws or articles of incorporation permit terms of no more than
152 2 years, the association board members may serve 2-year terms.
153 If the number of board members whose terms expire at the annual
154 meeting equals or exceeds the number of candidates, the
155 candidates become members of the board effective upon the
156 adjournment of the annual meeting. Unless the bylaws provide
157 otherwise, any remaining vacancies shall be filled by the
158 affirmative vote of the majority of the directors making up the
159 newly constituted board even if the directors constitute less
160 than a quorum or there is only one director. In a residential
161 condominium association of more than 10 units or in a
162 residential condominium association that does not include
163 timeshare units or timeshare interests, coowners of a unit may
164 not serve as members of the board of directors at the same time
165 unless they own more than one unit or unless there are not
166 enough eligible candidates to fill the vacancies on the board at
167 the time of the vacancy. ~~A Any~~ unit owner in a residential
168 condominium desiring to be a candidate for board membership must
169 comply with sub-subparagraph 4.a. and must be eligible to be a
170 candidate to serve on the board of directors at the time of the
171 deadline for submitting a notice of intent to run in order to
172 have his or her name listed as a proper candidate on the ballot
173 or to serve on the board. A person who has been suspended or
174 removed by the division under this chapter, or who is delinquent

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175 in the payment of any monetary obligation due to the
176 association, is not eligible to be a candidate for board
177 membership and may not be listed on the ballot. A person who has
178 been convicted of any felony in this state or in a United States
179 District or Territorial Court, or who has been convicted of any
180 offense in another jurisdiction which would be considered a
181 felony if committed in this state, is not eligible for board
182 membership unless such felon's civil rights have been restored
183 for at least 5 years as of the date such person seeks election
184 to the board. The validity of an action by the board is not
185 affected if it is later determined that a board member is
186 ineligible for board membership due to having been convicted of
187 a felony. This subparagraph does not limit the term of a member
188 of the board of a nonresidential condominium.

189 3. The bylaws must provide the method of calling meetings
190 of unit owners, including annual meetings. Written notice must
191 include an agenda, must be mailed, hand delivered, or
192 electronically transmitted to each unit owner at least 14 days
193 before the annual meeting, and must be posted in a conspicuous
194 place on the condominium property at least 14 continuous days
195 before the annual meeting. Upon notice to the unit owners, the
196 board shall, by duly adopted rule, designate a specific location
197 on the condominium property or association property where all
198 notices of unit owner meetings shall be posted. This requirement
199 does not apply if there is no condominium property or
200 association property for posting notices. In lieu of, or in
201 addition to, the physical posting of meeting notices, the
202 association may, by reasonable rule, adopt a procedure for
203 conspicuously posting and repeatedly broadcasting the notice and

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204 the agenda on a closed-circuit cable television system serving
205 the condominium association. However, if broadcast notice is
206 used in lieu of a notice posted physically on the condominium
207 property, the notice and agenda must be broadcast at least four
208 times every broadcast hour of each day that a posted notice is
209 otherwise required under this section. If broadcast notice is
210 provided, the notice and agenda must be broadcast in a manner
211 and for a sufficient continuous length of time so as to allow an
212 average reader to observe the notice and read and comprehend the
213 entire content of the notice and the agenda. Unless a unit owner
214 waives in writing the right to receive notice of the annual
215 meeting, such notice must be hand delivered, mailed, or
216 electronically transmitted to each unit owner. Notice for
217 meetings and notice for all other purposes must be mailed to
218 each unit owner at the address last furnished to the association
219 by the unit owner, or hand delivered to each unit owner.
220 However, if a unit is owned by more than one person, the
221 association must provide notice to the address that the
222 developer identifies for that purpose and thereafter as one or
223 more of the owners of the unit advise the association in
224 writing, or if no address is given or the owners of the unit do
225 not agree, to the address provided on the deed of record. An
226 officer of the association, or the manager or other person
227 providing notice of the association meeting, must provide an
228 affidavit or United States Postal Service certificate of
229 mailing, to be included in the official records of the
230 association affirming that the notice was mailed or hand
231 delivered in accordance with this provision.

232 4. The members of the board of a residential condominium

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233 shall be elected by written ballot or voting machine. Proxies
234 may not be used in electing the board in general elections or
235 elections to fill vacancies caused by recall, resignation, or
236 otherwise, unless otherwise provided in this chapter. This
237 subparagraph does not apply to an association governing a
238 timeshare condominium.

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

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

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

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

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

310 5. Any approval by unit owners called for by this chapter
311 or the applicable declaration or bylaws, including, but not
312 limited to, the approval requirement in s. 718.111(8), must be
313 made at a duly noticed meeting of unit owners and is subject to
314 all requirements of this chapter or the applicable condominium
315 documents relating to unit owner decisionmaking, except that
316 unit owners may take action by written agreement, without
317 meetings, on matters for which action by written agreement
318 without meetings is expressly allowed by the applicable bylaws
319 or declaration or any law that provides for such action.

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

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

332 8. A unit owner may tape record or videotape a meeting of
333 the unit owners subject to reasonable rules adopted by the
334 division.

335 9. Unless otherwise provided in the bylaws, any vacancy
336 occurring on the board before the expiration of a term may be
337 filled by the affirmative vote of the majority of the remaining
338 directors, even if the remaining directors constitute less than
339 a quorum, or by the sole remaining director. In the alternative,
340 a board may hold an election to fill the vacancy, in which case
341 the election procedures must conform to sub-subparagraph 4.a.
342 unless the association governs 10 units or fewer and has opted
343 out of the statutory election process, in which case the bylaws
344 of the association control. Unless otherwise provided in the
345 bylaws, a board member appointed or elected under this section
346 shall fill the vacancy for the unexpired term of the seat being
347 filled. Filling vacancies created by recall is governed by
348 paragraph (j) and rules adopted by the division.

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

355

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

364 (k) *Arbitration*.—There shall be a provision for mandatory
365 nonbinding arbitration as provided for in s. 718.1255 for any
366 residential condominium.

367 (l) *Certificate of compliance*.—A provision that a
368 certificate of compliance from a licensed electrical contractor
369 or electrician may be accepted by the association's board as
370 evidence of compliance of the condominium units with the
371 applicable fire and life safety code must be included.
372 Notwithstanding chapter 633 or of any other code, statute,
373 ordinance, administrative rule, or regulation, or any
374 interpretation of the foregoing, an association, residential
375 condominium, or unit owner is not obligated to retrofit the
376 common elements, association property, or units of a residential
377 condominium with a fire sprinkler system in a building that has

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378 been certified for occupancy by the applicable governmental
379 entity if the unit owners have voted to forego such retrofitting
380 by the affirmative vote of a majority of all voting interests in
381 the affected condominium. The local authority having
382 jurisdiction may not require completion of retrofitting with a
383 fire sprinkler system before January 1, 2020 ~~the end of 2019~~. By
384 December 31, 2016, a residential condominium ~~an~~ association that
385 is not in compliance with the requirements for a fire sprinkler
386 system and has not voted to forego retrofitting of such a system
387 must initiate an application for a building permit for the
388 required installation with the local government having
389 jurisdiction demonstrating that the association will become
390 compliant by December 31, 2019.

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

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407 to a renter before signing a lease.

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

417 3. As part of the information collected annually from
418 condominiums, the division shall require condominium
419 associations to report the membership vote and recording of a
420 certificate under this subsection and, if retrofitting has been
421 undertaken, the per-unit cost of such work. The division shall
422 annually report to the Division of State Fire Marshal of the
423 Department of Financial Services the number of condominiums that
424 have elected to forego retrofitting.

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

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

432 718.113 Maintenance; limitation upon improvement; display
433 of flag; hurricane shutters and protection; display of religious
434 decorations.—

435 (5) Each board of administration of a residential

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436 condominium shall adopt hurricane shutter specifications for
437 each building within each condominium operated by the
438 association which shall include color, style, and other factors
439 deemed relevant by the board. All specifications adopted by the
440 board must comply with the applicable building code.

441 (a) The board may, subject to s. 718.3026 and the approval
442 of a majority of voting interests of the residential
443 condominium, install hurricane shutters, impact glass, code-
444 compliant windows or doors, or other types of code-compliant
445 hurricane protection that comply with or exceed the applicable
446 building code. However, a vote of the owners is not required if
447 the maintenance, repair, and replacement of hurricane shutters,
448 impact glass, code-compliant windows or doors, or other types of
449 code-compliant hurricane protection are the responsibility of
450 the association pursuant to the declaration of condominium. If
451 hurricane protection or laminated glass or window film
452 architecturally designed to function as hurricane protection
453 that complies with or exceeds the current applicable building
454 code has been previously installed, the board may not install
455 hurricane shutters, impact glass, code-compliant windows or
456 doors, or other types of code-compliant hurricane protection
457 except upon approval by a majority vote of the voting interests.

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

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465 code-compliant hurricane protection are the responsibility of
466 the unit owners pursuant to the declaration of condominium, the
467 maintenance, repair, and replacement of such items are the
468 responsibility of the unit owner.

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

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

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

490 718.1255 Alternative dispute resolution; voluntary
491 mediation; mandatory nonbinding arbitration; legislative
492 findings.—

493 (6) APPLICABILITY.—This section does not apply to a

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494 nonresidential condominium unless otherwise specifically
495 provided for in the declaration of the nonresidential
496 condominium.

497 Section 4. Subsection (1) of section 718.403, Florida
498 Statutes, is reenacted, paragraph (a) of subsection (2) of that
499 section is amended, and subsection (9) is added to that section,
500 to read:

501 718.403 Phase condominiums.—

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

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

521 (b) An amendment to extend the 7-year period shall require
522 the approval of the owners necessary to amend the declaration of

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523 condominium pursuant to s. 718.110(1)(a). An extension of the 7-
524 year period may be submitted for approval only during the last 3
525 years of the 7-year period.

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

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

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

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

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552 legal description of a phase.

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

555 Section 5. Section 718.707, Florida Statutes, is amended to
556 read:

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

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