

By Senator Richter

23-00813A-16

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1 A bill to be entitled
2 An act relating to homeowners' associations; amending
3 s. 720.306, F.S.; specifying requirements for revising
4 or amending a homeowners' association declaration;
5 providing that nonmaterial errors or omissions do not
6 invalidate a properly adopted amendment; providing
7 that an amendment to a recorded governing document is
8 effective when recorded; providing that an amendment
9 restricting a parcel owner's ability to rent his or
10 her property applies only to certain parcel owners;
11 providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Present paragraph (d) of subsection (1) of
16 section 720.306, Florida Statutes, is redesignated as paragraph
17 (h), and new paragraphs (d) through (g) are added to that
18 subsection, to read:

19 720.306 Meetings of members; voting and election
20 procedures; amendments.—

21 (1) QUORUM; AMENDMENTS.—

22 (d) A provision of the declaration may not be revised or
23 amended by reference to only its title or number. A proposal to
24 amend an existing provision of the declaration must contain the
25 full text of the provision to be amended. New words must be
26 inserted in the text and underlined, and words to be deleted
27 must be lined through with hyphens. However, if the proposed
28 change is so extensive that this procedure would hinder, rather
29 than assist, the understanding of the proposed amendment, it is

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30 not necessary to use underlining and hyphens as indicators of
31 words added or deleted. Instead, a notation must be inserted
32 immediately preceding the proposed amendment in substantially
33 the following language: "Substantial rewording of declaration.
34 See provision for present text." An amendment to a declaration
35 is effective when properly recorded in the public records of the
36 county where the declaration is recorded.

37 (e) Nonmaterial errors or omissions in the amendment
38 process do not invalidate an otherwise properly adopted
39 amendment.

40 (f) An amendment to any recorded governing document is
41 effective when properly recorded in the public records of the
42 county where the governing document is recorded.

43 (g) An amendment prohibiting parcel owners from renting
44 their homes, altering the duration of the rental term, or
45 specifying or limiting the number of times parcel owners are
46 entitled to rent their homes during a specified period applies
47 only to parcel owners who consent individually or through their
48 representative to the amendment and parcel owners who acquire
49 title to their homes after the effective date of that amendment.

50 Section 2. This act shall take effect July 1, 2016.