

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Moraitis offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 91-408 and insert:

5 Section 2. Paragraphs (a) and (d) of subsection (1),
6 subsections (3), (9), (12), and (13) of section 718.111, Florida
7 Statutes, are amended, and subsection (15) is added to that
8 section, to read:

9 718.111 The association.—

10 (1) CORPORATE ENTITY.—

11 (a) The operation of the condominium shall be by the
12 association, which must be a Florida corporation for profit or a
13 Florida corporation not for profit. However, any association

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14 which was in existence on January 1, 1977, need not be
15 incorporated. The owners of units shall be shareholders or
16 members of the association. The officers and directors of the
17 association have a fiduciary relationship to the unit owners. It
18 is the intent of the Legislature that nothing in this paragraph
19 shall be construed as providing for or removing a requirement of
20 a fiduciary relationship between any manager employed by the
21 association and the unit owners. An officer, director, or
22 manager may not solicit, offer to accept, or accept any thing or
23 service of value or kickback for which consideration has not
24 been provided for his or her own benefit or that of his or her
25 immediate family, from any person providing or proposing to
26 provide goods or services to the association. Any such officer,
27 director, or manager who knowingly so solicits, offers to
28 accept, or accepts any thing or service of value or kickback is
29 subject to a civil penalty pursuant to s. 718.501(1)(d) and, if
30 applicable, a criminal penalty as provided in paragraph (d).
31 However, this paragraph does not prohibit an officer, director,
32 or manager from accepting services or items received in
33 connection with trade fairs or education programs. An
34 association may operate more than one condominium.

35 (d) As required by s. 617.0830, an officer, director, or
36 agent shall discharge his or her duties in good faith, with the
37 care an ordinarily prudent person in a like position would
38 exercise under similar circumstances, and in a manner he or she

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39 reasonably believes to be in the interests of the association.
40 An officer, director, or agent shall be liable for monetary
41 damages as provided in s. 617.0834 if such officer, director, or
42 agent breached or failed to perform his or her duties and the
43 breach of, or failure to perform, his or her duties constitutes
44 a violation of criminal law as provided in s. 617.0834;
45 constitutes a transaction from which the officer or director
46 derived an improper personal benefit, either directly or
47 indirectly; or constitutes recklessness or an act or omission
48 that was in bad faith, with malicious purpose, or in a manner
49 exhibiting wanton and willful disregard of human rights, safety,
50 or property. Forgery of a ballot envelope or voting certificate
51 used in a condominium association election is punishable as
52 provided in s. 831.01, the theft or embezzlement of funds of a
53 condominium association is punishable as provided in s. 812.014,
54 and the destruction of or the refusal to allow inspection or
55 copying of an official record of a condominium association that
56 is accessible to unit owners within the time periods required by
57 general law in furtherance of any crime is punishable as
58 tampering with physical evidence as provided in s. 918.13 or as
59 obstruction of justice as provided in chapter 843. An officer or
60 director charged by information or indictment with a crime
61 referenced in this paragraph must be removed from office, and
62 the vacancy shall be filled as provided in s. 718.112(2)(d)2.
63 until the end of the officer's or director's period of

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64 suspension or the end of his or her term of office, whichever
65 occurs first. If a criminal charge is pending against the
66 officer or director, he or she may not be appointed or elected
67 to a position as an officer or a director of any association and
68 may not have access to the official records of any association,
69 except pursuant to a court order. However, if the charges are
70 resolved without a finding of guilt, the officer or director
71 must be reinstated for the remainder of his or her term of
72 office, if any.

73 (3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT,
74 SUE, AND BE SUED; CONFLICT OF INTEREST.—

75 (a) The association may contract, sue, or be sued with
76 respect to the exercise or nonexercise of its powers. For these
77 purposes, the powers of the association include, but are not
78 limited to, the maintenance, management, and operation of the
79 condominium property. After control of the association is
80 obtained by unit owners other than the developer, the
81 association may institute, maintain, settle, or appeal actions
82 or hearings in its name on behalf of all unit owners concerning
83 matters of common interest to most or all unit owners,
84 including, but not limited to, the common elements; the roof and
85 structural components of a building or other improvements;
86 mechanical, electrical, and plumbing elements serving an
87 improvement or a building; representations of the developer
88 pertaining to any existing or proposed commonly used facilities;

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89 and protesting ad valorem taxes on commonly used facilities and
90 on units; and may defend actions in eminent domain or bring
91 inverse condemnation actions. If the association has the
92 authority to maintain a class action, the association may be
93 joined in an action as representative of that class with
94 reference to litigation and disputes involving the matters for
95 which the association could bring a class action. Nothing herein
96 limits any statutory or common-law right of any individual unit
97 owner or class of unit owners to bring any action without
98 participation by the association which may otherwise be
99 available.

100 (b) An association may not hire an attorney who represents
101 the management company of the association.

102 (9) PURCHASE OF UNITS.—The association has the power,
103 unless prohibited by the declaration, articles of incorporation,
104 or bylaws of the association, to purchase units in the
105 condominium and to acquire and hold, lease, mortgage, and convey
106 them. There shall be no limitation on the association's right to
107 purchase a unit at a foreclosure sale resulting from the
108 association's foreclosure of its lien for unpaid assessments, or
109 to take title by deed in lieu of foreclosure. However, except
110 for a timeshare condominium, a board member, manager, or
111 management company may not purchase a unit at a foreclosure sale
112 resulting from the association's foreclosure of its lien for
113 unpaid assessments or take title by deed in lieu of foreclosure.

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114 (12) OFFICIAL RECORDS.—

115 (a) From the inception of the association, the association
116 shall maintain each of the following items, if applicable, which
117 constitutes the official records of the association:

118 1. A copy of the plans, permits, warranties, and other
119 items provided by the developer pursuant to s. 718.301(4).

120 2. A photocopy of the recorded declaration of condominium
121 of each condominium operated by the association and each
122 amendment to each declaration.

123 3. A photocopy of the recorded bylaws of the association
124 and each amendment to the bylaws.

125 4. A certified copy of the articles of incorporation of
126 the association, or other documents creating the association,
127 and each amendment thereto.

128 5. A copy of the current rules of the association.

129 6. A book or books that contain the minutes of all
130 meetings of the association, the board of administration, and
131 the unit owners, which minutes must be retained for at least 7
132 years.

133 7. A current roster of all unit owners and their mailing
134 addresses, unit identifications, and voting certifications, and,
135 if known, telephone numbers. The association shall also maintain
136 the electronic mailing addresses and facsimile numbers of unit
137 owners consenting to receive notice by electronic transmission.
138 The electronic mailing addresses and facsimile numbers are not

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139 accessible to unit owners if consent to receive notice by
140 electronic transmission is not provided in accordance with sub-
141 subparagraph (c)3.e. subparagraph (c)5. However, the association
142 is not liable for an inadvertent disclosure of the electronic
143 mail address or facsimile number for receiving electronic
144 transmission of notices.

145 8. All current insurance policies of the association and
146 condominiums operated by the association.

147 9. A current copy of any management agreement, lease, or
148 other contract to which the association is a party or under
149 which the association or the unit owners have an obligation or
150 responsibility.

151 10. Bills of sale or transfer for all property owned by
152 the association.

153 11. Accounting records for the association and separate
154 accounting records for each condominium that the association
155 operates. All accounting records must be maintained for at least
156 7 years. Any person who knowingly or intentionally defaces or
157 destroys such records, or who knowingly or intentionally fails
158 to create or maintain such records, with the intent of causing
159 harm to the association or one or more of its members, is
160 personally subject to a civil penalty pursuant to s.

161 718.501(1)(d). The accounting records must include, but are not
162 limited to:

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163 a. Accurate, itemized, and detailed records of all
164 receipts and expenditures.

165 b. A current account and a monthly, bimonthly, or
166 quarterly statement of the account for each unit designating the
167 name of the unit owner, the due date and amount of each
168 assessment, the amount paid on the account, and the balance due.

169 c. All audits, reviews, accounting statements, and
170 financial reports of the association or condominium.

171 d. All contracts for work to be performed. Bids for work
172 to be performed are also considered official records and must be
173 maintained by the association.

174 12. Ballots, sign-in sheets, voting proxies, and all other
175 papers and electronic records relating to voting by unit
176 owners, which must be maintained for 1 year from the date of the
177 election, vote, or meeting to which the document relates,
178 notwithstanding paragraph (b).

179 13. All rental records if the association is acting as
180 agent for the rental of condominium units.

181 14. A copy of the current question and answer sheet as
182 described in s. 718.504.

183 15. All other written records of the association not
184 specifically included in the foregoing which are related to the
185 operation of the association.

186 16. A copy of the inspection report as described in s.
187 718.301(4)(p).

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188 17. Bids for materials, equipment, or services.

189 (b) The official records of the association must be
190 maintained within the state for at least 7 years. The records of
191 the association shall be made available to a unit owner within
192 45 miles of the condominium property or within the county in
193 which the condominium property is located within 10 ~~5~~ working
194 days after receipt of a written request by the board or its
195 designee. However, such distance requirement does not apply to
196 an association governing a timeshare condominium. This paragraph
197 may be complied with by having a copy of the official records of
198 the association available for inspection or copying on the
199 condominium property or association property, or the association
200 may offer the option of making the records available to a unit
201 owner electronically via the Internet or by allowing the records
202 to be viewed in electronic format on a computer screen and
203 printed upon request. The association is not responsible for the
204 use or misuse of the information provided to an association
205 member or his or her authorized representative pursuant to the
206 compliance requirements of this chapter unless the association
207 has an affirmative duty not to disclose such information
208 pursuant to this chapter.

209 (c)1. The official records of the association are open to
210 inspection by any association member or the authorized
211 representative of such member at all reasonable times. The right
212 to inspect the records includes the right to make or obtain

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213 | copies, at the reasonable expense, if any, of the member or
214 | authorized representative of such member. A renter of a unit has
215 | a right to inspect and copy the association's bylaws and rules.

216 | The association may adopt reasonable rules regarding the
217 | frequency, time, location, notice, and manner of record
218 | inspections and copying. The failure of an association to
219 | provide the records within 10 working days after receipt of a
220 | written request creates a rebuttable presumption that the
221 | association willfully failed to comply with this paragraph. A
222 | unit owner who is denied access to official records is entitled
223 | to the actual damages or minimum damages for the association's
224 | willful failure to comply. Minimum damages are \$50 per calendar
225 | day for up to 10 days, beginning on the 11th working day after
226 | receipt of the written request. The failure to permit inspection
227 | entitles any person prevailing in an enforcement action to
228 | recover reasonable attorney fees from the person in control of
229 | the records who, directly or indirectly, knowingly denied access
230 | to the records.

231 | 2. Any person who knowingly or intentionally defaces or
232 | destroys accounting records that are required by this chapter to
233 | be maintained during the period for which such records are
234 | required to be maintained, or who knowingly or intentionally
235 | fails to create or maintain accounting records that are required
236 | to be created or maintained, with the intent of causing harm to

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237 the association or one or more of its members, is personally
238 subject to a civil penalty pursuant to s. 718.501(1)(d).

239 3. The association shall maintain an adequate number of
240 copies of the declaration, articles of incorporation, bylaws,
241 and rules, and all amendments to each of the foregoing, as well
242 as the question and answer sheet as described in s. 718.504 and
243 year-end financial information required under this section, on
244 the condominium property to ensure their availability to unit
245 owners and prospective purchasers, and may charge its actual
246 costs for preparing and furnishing these documents to those
247 requesting the documents. An association shall allow a member or
248 his or her authorized representative to use a portable device,
249 including a smartphone, tablet, portable scanner, or any other
250 technology capable of scanning or taking photographs, to make an
251 electronic copy of the official records in lieu of the
252 association's providing the member or his or her authorized
253 representative with a copy of such records. The association may
254 not charge a member or his or her authorized representative for
255 the use of a portable device. Notwithstanding this paragraph,
256 the following records are not accessible to unit owners:

257 a.1- Any record protected by the lawyer-client privilege
258 as described in s. 90.502 and any record protected by the work-
259 product privilege, including a record prepared by an association
260 attorney or prepared at the attorney's express direction, which
261 reflects a mental impression, conclusion, litigation strategy,

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262 or legal theory of the attorney or the association, and which
263 was prepared exclusively for civil or criminal litigation or for
264 adversarial administrative proceedings, or which was prepared in
265 anticipation of such litigation or proceedings until the
266 conclusion of the litigation or proceedings.

267 ~~b.2.~~ Information obtained by an association in connection
268 with the approval of the lease, sale, or other transfer of a
269 unit.

270 ~~c.3.~~ Personnel records of association or management
271 company employees, including, but not limited to, disciplinary,
272 payroll, health, and insurance records. For purposes of this
273 sub-subparagraph ~~subparagraph~~, the term "personnel records" does
274 not include written employment agreements with an association
275 employee or management company, or budgetary or financial
276 records that indicate the compensation paid to an association
277 employee.

278 ~~d.4.~~ Medical records of unit owners.

279 ~~e.5.~~ Social security numbers, driver license numbers,
280 credit card numbers, e-mail addresses, telephone numbers,
281 facsimile numbers, emergency contact information, addresses of a
282 unit owner other than as provided to fulfill the association's
283 notice requirements, and other personal identifying information
284 of any person, excluding the person's name, unit designation,
285 mailing address, property address, and any address, e-mail
286 address, or facsimile number provided to the association to

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287 fulfill the association's notice requirements. Notwithstanding
288 the restrictions in this sub-subparagraph ~~subparagraph~~, an
289 association may print and distribute to parcel owners a
290 directory containing the name, parcel address, and all telephone
291 numbers of each parcel owner. However, an owner may exclude his
292 or her telephone numbers from the directory by so requesting in
293 writing to the association. An owner may consent in writing to
294 the disclosure of other contact information described in this
295 sub-subparagraph ~~subparagraph~~. The association is not liable for
296 the inadvertent disclosure of information that is protected
297 under this sub-subparagraph ~~subparagraph~~ if the information is
298 included in an official record of the association and is
299 voluntarily provided by an owner and not requested by the
300 association.

301 ~~f.6.~~ Electronic security measures that are used by the
302 association to safeguard data, including passwords.

303 ~~g.7.~~ The software and operating system used by the
304 association which allow the manipulation of data, even if the
305 owner owns a copy of the same software used by the association.
306 The data is part of the official records of the association.

307 (d) The association shall prepare a question and answer
308 sheet as described in s. 718.504, and shall update it annually.

309 (e)1. The association or its authorized agent is not
310 required to provide a prospective purchaser or lienholder with
311 information about the condominium or the association other than

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312 information or documents required by this chapter to be made
313 available or disclosed. The association or its authorized agent
314 may charge a reasonable fee to the prospective purchaser,
315 lienholder, or the current unit owner for providing good faith
316 responses to requests for information by or on behalf of a
317 prospective purchaser or lienholder, other than that required by
318 law, if the fee does not exceed \$150 plus the reasonable cost of
319 photocopying and any attorney's fees incurred by the association
320 in connection with the response.

321 2. An association and its authorized agent are not liable
322 for providing such information in good faith pursuant to a
323 written request if the person providing the information includes
324 a written statement in substantially the following form: "The
325 responses herein are made in good faith and to the best of my
326 ability as to their accuracy."

327 (f) An outgoing board or committee member must relinquish
328 all official records and property of the association in his or
329 her possession or under his or her control to the incoming board
330 within 5 days after the election. The division shall impose a
331 civil penalty as set forth in s. 718.501(1)(d)6. against an
332 outgoing board or committee member who willfully and knowingly
333 fails to relinquish such records and property.

334 (g)1. By July 1, 2018, an association with 150 or more
335 units which does not manage timeshare units shall post digital

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336 copies of the documents specified in subparagraph 2. on its
337 website.

338 a. The association's website must be:

339 (I) An independent website or web portal wholly owned and
340 operated by the association; or

341 (II) A website or web portal operated by a third-party
342 provider with whom the association owns, leases, rents, or
343 otherwise obtains the right to operate a web page, subpage, web
344 portal, or collection of subpages or web portals dedicated to
345 the association's activities and on which required notices,
346 records, and documents may be posted by the association.

347 b. The association's website must be accessible through
348 the Internet and must contain a subpage, web portal, or other
349 protected electronic location that is inaccessible to the
350 general public and accessible only to unit owners and employees
351 of the association.

352 c. Upon a unit owner's written request, the association
353 must provide the unit owner with a username and password and
354 access to the protected sections of the association's website
355 that contain any notices, records, or documents that must be
356 electronically provided.

357 2. A current copy of the following documents must be
358 posted in digital format on the association's website:

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359 a. The recorded declaration of condominium of each
360 condominium operated by the association and each amendment to
361 each declaration.

362 b. The recorded bylaws of the association and each
363 amendment to the bylaws.

364 c. The articles of incorporation of the association, or
365 other documents creating the association, and each amendment
366 thereto. The copy posted pursuant to this sub-subparagraph must
367 be a copy of the articles of incorporation filed with the
368 Department of State.

369 d. The rules of the association.

370 e. Any management agreement, lease, or other contract to
371 which the association is a party or under which the association
372 or the unit owners have an obligation or responsibility.
373 Summaries of bids for materials, equipment, or services must be
374 maintained on the website for 1 year.

375 f. The annual budget required by s. 718.112(2)(f) and any
376 proposed budget to be considered at the annual meeting.

377 g. The financial report required by subsection (13) and
378 any proposed financial report to be considered at a meeting.

379 h. The certification of each director required by s.
380 718.112(2)(d)4.b.

381 i. All contracts or transactions between the association
382 and any director, officer, corporation, firm, or association
383 that is not an affiliated condominium association or any other

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384 entity in which an association director is also a director or
385 officer and financially interested.

386 j. Any contract or document regarding a conflict of
387 interest or possible conflict of interest as provided in ss.
388 468.436(2) and 718.3026(3).

389 k. The notice of any unit owner meeting and the agenda for
390 the meeting, as required by s. 718.112(2)(d)3., no later than 14
391 days before the meeting. The notice must be posted in plain view
392 on the front page of the website, or on a separate subpage of
393 the website labeled "Notices" which is conspicuously visible and
394 linked from the front page. The association must also post on
395 its website any document to be considered and voted on by the
396 owners during the meeting or any document listed on the agenda
397 at least 7 days before the meeting at which the document or the
398 information within the document will be considered.

399 1. Notice of any board meeting, the agenda, and any other
400 document required for the meeting as required by s.
401 718.112(2)(c), which must be posted no later than the date
402 required for notice pursuant to s. 718.112(2)(c).

403 2. The association shall ensure that the information and
404 records described in paragraph (c), which are not permitted to
405 be accessible to unit owners, are not posted on the
406 association's website. If protected information or information
407 restricted from being accessible to unit owners is included in
408 documents that are required to be posted on the association's

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409 website, the association shall ensure the information is
410 redacted before posting the documents online.

411 (13) FINANCIAL REPORTING.—Within 90 days after the end of
412 the fiscal year, or annually on a date provided in the bylaws,
413 the association shall prepare and complete, or contract for the
414 preparation and completion of, a financial report for the
415 preceding fiscal year. Within 21 days after the final financial
416 report is completed by the association or received from the
417 third party, but not later than 120 days after the end of the
418 fiscal year or other date as provided in the bylaws, the
419 association shall mail to each unit owner at the address last
420 furnished to the association by the unit owner, or hand deliver
421 to each unit owner, a copy of the most recent financial report
422 or a notice that a copy of the most recent financial report will
423 be mailed or hand delivered to the unit owner, without charge,
424 within 5 business days after ~~upon~~ receipt of a written request
425 from the unit owner. The division shall adopt rules setting
426 forth uniform accounting principles and standards to be used by
427 all associations and addressing the financial reporting
428 requirements for multicondominium associations. The rules must
429 include, but not be limited to, standards for presenting a
430 summary of association reserves, including a good faith estimate
431 disclosing the annual amount of reserve funds that would be
432 necessary for the association to fully fund reserves for each
433 reserve item based on the straight-line accounting method. This

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434 disclosure is not applicable to reserves funded via the pooling
435 method. In adopting such rules, the division shall consider the
436 number of members and annual revenues of an association.

437 Financial reports shall be prepared as follows:

438 (a) An association that meets the criteria of this
439 paragraph shall prepare a complete set of financial statements
440 in accordance with generally accepted accounting principles. The
441 financial statements must be based upon the association's total
442 annual revenues, as follows:

443 1. An association with total annual revenues of \$150,000
444 or more, but less than \$300,000, shall prepare compiled
445 financial statements.

446 2. An association with total annual revenues of at least
447 \$300,000, but less than \$500,000, shall prepare reviewed
448 financial statements.

449 3. An association with total annual revenues of \$500,000
450 or more shall prepare audited financial statements.

451 (b)1. An association with total annual revenues of less
452 than \$150,000 shall prepare a report of cash receipts and
453 expenditures.

454 ~~2. An association that operates fewer than 50 units,~~
455 ~~regardless of the association's annual revenues, shall prepare a~~
456 ~~report of cash receipts and expenditures in lieu of financial~~
457 ~~statements required by paragraph (a).~~

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458 ~~2.3.~~ A report of cash receipts and disbursements must
459 disclose the amount of receipts by accounts and receipt
460 classifications and the amount of expenses by accounts and
461 expense classifications, including, but not limited to, the
462 following, as applicable: costs for security, professional and
463 management fees and expenses, taxes, costs for recreation
464 facilities, expenses for refuse collection and utility services,
465 expenses for lawn care, costs for building maintenance and
466 repair, insurance costs, administration and salary expenses, and
467 reserves accumulated and expended for capital expenditures,
468 deferred maintenance, and any other category for which the
469 association maintains reserves.

470 (c) An association may prepare, without a meeting of or
471 approval by the unit owners:

472 1. Compiled, reviewed, or audited financial statements, if
473 the association is required to prepare a report of cash receipts
474 and expenditures;

475 2. Reviewed or audited financial statements, if the
476 association is required to prepare compiled financial
477 statements; or

478 3. Audited financial statements if the association is
479 required to prepare reviewed financial statements.

480 (d) If approved by a majority of the voting interests
481 present at a properly called meeting of the association, an
482 association may prepare:

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483 1. A report of cash receipts and expenditures in lieu of a
484 compiled, reviewed, or audited financial statement;

485 2. A report of cash receipts and expenditures or a
486 compiled financial statement in lieu of a reviewed or audited
487 financial statement; or

488 3. A report of cash receipts and expenditures, a compiled
489 financial statement, or a reviewed financial statement in lieu
490 of an audited financial statement.

491
492 Such meeting and approval must occur before the end of the
493 fiscal year and is effective only for the fiscal year in which
494 the vote is taken, except that the approval may also be
495 effective for the following fiscal year. If the developer has
496 not turned over control of the association, all unit owners,
497 including the developer, may vote on issues related to the
498 preparation of the association's financial reports, from the
499 date of incorporation of the association through the end of the
500 second fiscal year after the fiscal year in which the
501 certificate of a surveyor and mapper is recorded pursuant to s.
502 718.104(4)(e) or an instrument that transfers title to a unit in
503 the condominium which is not accompanied by a recorded
504 assignment of developer rights in favor of the grantee of such
505 unit is recorded, whichever occurs first. Thereafter, all unit
506 owners except the developer may vote on such issues until
507 control is turned over to the association by the developer. Any

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508 audit or review prepared under this section shall be paid for by
509 the developer if done before turnover of control of the
510 association. ~~An association may not waive the financial~~
511 ~~reporting requirements of this section for more than 3~~
512 ~~consecutive years.~~

513 (e) A unit owner may provide written notice to the
514 division of the association's failure to mail or hand deliver
515 him or her a copy of the most recent financial report within 5
516 business days after he or she submitted a written request to the
517 association for a copy of such report. If the division
518 determines that the association failed to mail or hand deliver a
519 copy of the most recent financial report to the unit owner, the
520 division shall provide written notice to the association that
521 the association must mail or hand deliver a copy of the most
522 recent financial report to the unit owner and the division
523 within 5 business days after it receives such notice from the
524 division. An association that fails to comply with the
525 division's request may not waive the financial reporting
526 requirement provided in paragraph (d). A financial report
527 received by the division pursuant to this paragraph shall be
528 maintained, and the division shall provide a copy of such report
529 to an association member upon his or her request.

530 (15) DEBIT CARDS.-

531 (a) An association and its officers, directors, employees,
532 and agents may not use a debit card issued in the name of the

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533 association, or billed directly to the association, for the
534 payment of any association expense.

535 (b) Use of a debit card issued in the name of the
536 association, or billed directly to the association, for any
537 expense that is not a lawful obligation of the association may
538 be prosecuted as credit card fraud pursuant to s. 817.61.

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

542 Remove lines 8-9 and insert:

543 amending s. 718.111, F.S.; prohibiting an officer,
544 director, or manager from soliciting, offering to
545 accept, or accepting a kickback for which
546 consideration has not been provided; providing
547 criminal penalties; requiring that an officer or
548 director charged with certain crimes be removed from
549 office; providing requirements for filling the vacancy
550 left by such removal; prohibiting such officer or
551 director from being appointed or elected or having
552 access to official condominium association records for
553 a specified time; providing an exception; requiring an
554 officer or director to be reinstated if the charges
555 are resolved without a finding of guilt; prohibiting
556 an association from hiring an attorney who represents
557 the management company of the association; prohibiting

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558 a board member, manager, or management company from
559 purchasing a unit at a foreclosure sale under certain
560 circumstances; revising recordkeeping requirements;
561 providing that the official records of an association
562 are open to inspection by an association member's
563 authorized representative; providing that a renter of
564 a unit has a right to inspect and copy the
565 association's bylaws and rules; providing requirements
566 relating to the posting of specified documents on an
567 association's website; providing a remedy for an
568 association's failure to provide a unit owner with a
569 copy of the most recent financial report; revising
570 reporting requirements; requiring the Division of
571 Florida Condominiums, Timeshares, and Mobile Homes to
572 maintain and provide copies of financial reports;
573 prohibiting a condominium association and its
574 officers, directors, employees, and agents from using
575 a debit card issued in the name of the association, or
576 billed directly to the association, for the payment of
577 any association expense; providing that the use of
578 such debit card for any expense that is not a lawful
579 obligation of the association may be prosecuted as
580 credit card fraud; providing a directive to the
581 Department of Business and Professional Regulation;

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582 | revising reporting requirements; amending s. 718.112,
583 | F.S.; authorizing

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