

1                                   A bill to be entitled  
 2           An act relating to homeowners' associations; amending  
 3           s. 720.311, F.S.; authorizing certain disputes to be  
 4           submitted to mandatory binding arbitration with the  
 5           division; requiring an association to impose fees for  
 6           certain purposes; providing an effective date.

7  
 8   Be It Enacted by the Legislature of the State of Florida:

9  
 10           Section 1. Subsection (3) is added to section 720.311,  
 11   Florida Statutes, to read:

12           720.311 Dispute resolution.—

13           (3) (a) Notwithstanding paragraph (2) (a), an association  
 14   may submit any dispute relating to amendments to the association  
 15   documents, meetings of the board and committees appointed by the  
 16   board, and membership meetings not including election meetings,  
 17   to mandatory binding arbitration, in lieu of presuit mediation,  
 18   with the division. Such proceedings must be conducted in the  
 19   manner provided by s. 718.1255 and the procedural rules adopted  
 20   by the division. At the conclusion of the proceeding, the  
 21   department shall charge the association a fee in an amount  
 22   adequate to cover all costs and expenses incurred by the  
 23   department in conducting the proceeding.

24           (b) Effective July 1, 2017, associations must impose  
 25   annual, quarterly, or monthly fees to adequately cover any costs

HB 89

2017

26 | incurred by the association for proceedings conducted under this  
27 | subsection.

28 |       Section 2.   This act shall take effect July 1, 2017.