



247274

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD/2R

.

03/08/2018 03:59 PM

.

.

Senator Garcia moved the following:

1 **Senate Amendment to Amendment (166454) (with title**
2 **amendment)**

3
4 Delete lines 5 - 120

5 and insert:

6 Section 1. Subsection (3), paragraphs (a), (b), and (g) of
7 subsection (12), and paragraph (e) of subsection (13) of section
8 718.111, Florida Statutes, are amended to read:

9 718.111 The association.—

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



247274

12 ~~(a)~~ The association may contract, sue, or be sued with
13 respect to the exercise or nonexercise of its powers. For these
14 purposes, the powers of the association include, but are not
15 limited to, the maintenance, management, and operation of the
16 condominium property. After control of the association is
17 obtained by unit owners other than the developer, the
18 association may institute, maintain, settle, or appeal actions
19 or hearings in its name on behalf of all unit owners concerning
20 matters of common interest to most or all unit owners,
21 including, but not limited to, the common elements; the roof and
22 structural components of a building or other improvements;
23 mechanical, electrical, and plumbing elements serving an
24 improvement or a building; representations of the developer
25 pertaining to any existing or proposed commonly used facilities;
26 and protesting ad valorem taxes on commonly used facilities and
27 on units; and may defend actions in eminent domain or bring
28 inverse condemnation actions. If the association has the
29 authority to maintain a class action, the association may be
30 joined in an action as representative of that class with
31 reference to litigation and disputes involving the matters for
32 which the association could bring a class action. Nothing herein
33 limits any statutory or common-law right of any individual unit
34 owner or class of unit owners to bring any action without
35 participation by the association which may otherwise be
36 available.

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40 Delete lines 1846 - 1854



247274

41 and insert:

42 718.111, F.S.; deleting a provision prohibiting an
43 association from hiring an attorney who represents the
44 management company of the association; revising
45 condominium association recordkeeping