

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Fine offered the following:

Amendment to Amendment (888040) (with title amendment)

Remove lines 172-244 of the amendment and insert:

Section 4. Paragraph (a) of subsection (2) of section 514.0115, Florida Statutes, is amended to read:

514.0115 Exemptions from supervision or regulation; variances.—

(2) (a) Pools serving condominium, cooperative, and homeowners' associations, as well as other property associations, which have no more than 32 ~~condominium or cooperative~~ units or parcels and which are not operated as a

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

13 public lodging establishments are establishment ~~shall be~~ exempt
14 from supervision under this chapter, except for water quality.

15 Section 5. Paragraphs (d), (l), and (p) of subsection (2)
16 of section 718.112, Florida Statutes, are amended to read:

17 718.112 Bylaws.—

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

21 (d) Unit owner meetings.—

22 1. An annual meeting of the unit owners must be held at
23 the location provided in the association bylaws and, if the
24 bylaws are silent as to the location, the meeting must be held
25 within 45 miles of the condominium property. However, such
26 distance requirement does not apply to an association governing
27 a timeshare condominium.

28 2. Unless the bylaws provide otherwise, a vacancy on the
29 board caused by the expiration of a director's term must be
30 filled by electing a new board member, and the election must be
31 by secret ballot. An election is not required if the number of
32 vacancies equals or exceeds the number of candidates. For
33 purposes of this paragraph, the term "candidate" means an
34 eligible person who has timely submitted the written notice, as
35 described in sub-subparagraph 4.a., of his or her intention to
36 become a candidate. Except in a timeshare or nonresidential
37 condominium, or if the staggered term of a board member does not

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

38 | expire until a later annual meeting, or if all members' terms
39 | would otherwise expire but there are no candidates, the terms of
40 | all board members expire at the annual meeting, and such members
41 | may stand for reelection unless prohibited by the bylaws. Board
42 | members may serve terms longer than 1 year if permitted by the
43 | bylaws or articles of incorporation. A board member may not
44 | serve more than 8 consecutive years unless approved by an
45 | affirmative vote of unit owners representing two-thirds of all
46 | votes cast in the election or unless there are not enough
47 | eligible candidates to fill the vacancies on the board at the
48 | time of the vacancy. Only board service that occurs on or after
49 | July 1, 2018, may be used when calculating a board member's term
50 | limit. If the number of board members whose terms expire at the
51 | annual meeting equals or exceeds the number of candidates, the
52 | candidates become members of the board effective upon the
53 | adjournment of the annual meeting. Unless the bylaws provide
54 | otherwise, any remaining vacancies shall be filled by the
55 | affirmative vote of the majority of the directors making up the
56 | newly constituted board even if the directors constitute less
57 | than a quorum or there is only one director. In a residential
58 | condominium association of more than 10 units or in a
59 | residential condominium association that does not include
60 | timeshare units or timeshare interests, coowners of a unit may
61 | not serve as members of the board of directors at the same time
62 | unless they own more than one unit or unless there are not

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

63 enough eligible candidates to fill the vacancies on the board at
64 the time of the vacancy. A unit owner in a residential
65 condominium desiring to be a candidate for board membership must
66 comply with sub-subparagraph 4.a. and must be eligible to be a
67 candidate to serve on the board of directors at the time of the
68 deadline for submitting a notice of intent to run in order to
69 have his or her name listed as a proper candidate on the ballot
70 or to serve on the board. A person who has been suspended or
71 removed by the division under this chapter, or who is delinquent
72 in the payment of any monetary obligation due to the
73 association, is not eligible to be a candidate for board
74 membership and may not be listed on the ballot. A person who has
75 been convicted of any felony in this state or in a United States
76 District or Territorial Court, or who has been convicted of any
77 offense in another jurisdiction which would be considered a
78 felony if committed in this state, is not eligible for board
79 membership unless such felon's civil rights have been restored
80 for at least 5 years as of the date such person seeks election
81 to the board. The validity of an action by the board is not
82 affected if it is later determined that a board member is
83 ineligible for board membership due to having been convicted of
84 a felony. This subparagraph does not limit the term of a member
85 of the board of a nonresidential or timeshare condominium.

86 3. The bylaws must provide the method of calling meetings
87 of unit owners, including annual meetings. Written notice of an

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

88 annual meeting must include an agenda;~~it must~~ be mailed, hand
89 delivered, or electronically transmitted to each unit owner at
90 least 14 days before the annual meeting;it and ~~must~~ be posted in
91 a conspicuous place on the condominium property at least 14
92 continuous days before the annual meeting. Written notice of a
93 meeting other than an annual meeting must include an agenda; be
94 mailed, hand delivered, or electronically transmitted to each
95 unit owner; and be posted in a conspicuous place on the
96 condominium property in accordance with the minimum period of
97 time for posting a notice as set forth in the bylaws, and if the
98 bylaws do not provide such notice requirements, then at least 14
99 continuous days before the meeting. Upon notice to the unit
100 owners, the board shall, by duly adopted rule, designate a
101 specific location on the condominium property where all notices
102 of unit owner meetings must be posted. This requirement does not
103 apply if there is no condominium property for posting notices.
104 In lieu of, or in addition to, the physical posting of meeting
105 notices, the association may, by reasonable rule, adopt a
106 procedure for conspicuously posting and repeatedly broadcasting
107 the notice and the agenda on a closed-circuit cable television
108 system serving the condominium association. However, if
109 broadcast notice is used in lieu of a notice posted physically
110 on the condominium property, the notice and agenda must be
111 broadcast at least four times every broadcast hour of each day
112 that a posted notice is otherwise required under this section.

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

113 If broadcast notice is provided, the notice and agenda must be
114 broadcast in a manner and for a sufficient continuous length of
115 time so as to allow an average reader to observe the notice and
116 read and comprehend the entire content of the notice and the
117 agenda. In addition to any of the authorized means of providing
118 notice of a meeting of the board, the association may, by rule,
119 adopt a procedure for conspicuously posting the meeting notice
120 and the agenda on a website serving the condominium association
121 for at least the minimum period of time for which a notice of a
122 meeting is also required to be physically posted on the
123 condominium property. Any rule adopted shall, in addition to
124 other matters, include a requirement that the association send
125 an electronic notice in the same manner as a notice for a
126 meeting of the members, which must include a hyperlink to the
127 website where the notice is posted, to unit owners whose e-mail
128 addresses are included in the association's official records.
129 Unless a unit owner waives in writing the right to receive
130 notice of the annual meeting, such notice must be hand
131 delivered, mailed, or electronically transmitted to each unit
132 owner. Notice for meetings and notice for all other purposes
133 must be mailed to each unit owner at the address last furnished
134 to the association by the unit owner, or hand delivered to each
135 unit owner. However, if a unit is owned by more than one person,
136 the association must provide notice to the address that the
137 developer identifies for that purpose and thereafter as one or

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

138 more of the owners of the unit advise the association in
139 writing, or if no address is given or the owners of the unit do
140 not agree, to the address provided on the deed of record. An
141 officer of the association, or the manager or other person
142 providing notice of the association meeting, must provide an
143 affidavit or United States Postal Service certificate of
144 mailing, to be included in the official records of the
145 association affirming that the notice was mailed or hand
146 delivered in accordance with this provision.

147 4. The members of the board of a residential condominium
148 shall be elected by written ballot or voting machine. Proxies
149 may not be used in electing the board in general elections or
150 elections to fill vacancies caused by recall, resignation, or
151 otherwise, unless otherwise provided in this chapter. This
152 subparagraph does not apply to an association governing a
153 timeshare condominium.

154 a. At least 60 days before a scheduled election, the
155 association shall mail, deliver, or electronically transmit, by
156 separate association mailing or included in another association
157 mailing, delivery, or transmission, including regularly
158 published newsletters, to each unit owner entitled to a vote, a
159 first notice of the date of the election. A unit owner or other
160 eligible person desiring to be a candidate for the board must
161 give written notice of his or her intent to be a candidate to
162 the association at least 40 days before a scheduled election.

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

163 Together with the written notice and agenda as set forth in
164 subparagraph 3., the association shall mail, deliver, or
165 electronically transmit a second notice of the election to all
166 unit owners entitled to vote, together with a ballot that lists
167 all candidates not less than 14 days or more than 34 days before
168 the date of the election. Upon request of a candidate, an
169 information sheet, no larger than 8 1/2 inches by 11 inches,
170 which must be furnished by the candidate at least 35 days before
171 the election, must be included with the mailing, delivery, or
172 transmission of the ballot, with the costs of mailing, delivery,
173 or electronic transmission and copying to be borne by the
174 association. The association is not liable for the contents of
175 the information sheets prepared by the candidates. In order to
176 reduce costs, the association may print or duplicate the
177 information sheets on both sides of the paper. The division
178 shall by rule establish voting procedures consistent with this
179 sub-subparagraph, including rules establishing procedures for
180 giving notice by electronic transmission and rules providing for
181 the secrecy of ballots. Elections shall be decided by a
182 plurality of ballots cast. There is no quorum requirement;
183 however, at least 20 percent of the eligible voters must cast a
184 ballot in order to have a valid election. A unit owner may not
185 authorize any other person to vote his or her ballot, and any
186 ballots improperly cast are invalid. A unit owner who violates
187 this provision may be fined by the association in accordance

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

188 with s. 718.303. A unit owner who needs assistance in casting
189 the ballot for the reasons stated in s. 101.051 may obtain such
190 assistance. The regular election must occur on the date of the
191 annual meeting. Notwithstanding this sub-subparagraph, an
192 election is not required unless more candidates file notices of
193 intent to run or are nominated than board vacancies exist.

194 b. Within 90 days after being elected or appointed to the
195 board of an association of a residential condominium, each newly
196 elected or appointed director shall certify in writing to the
197 secretary of the association that he or she has read the
198 association's declaration of condominium, articles of
199 incorporation, bylaws, and current written policies; that he or
200 she will work to uphold such documents and policies to the best
201 of his or her ability; and that he or she will faithfully
202 discharge his or her fiduciary responsibility to the
203 association's members. In lieu of this written certification,
204 within 90 days after being elected or appointed to the board,
205 the newly elected or appointed director may submit a certificate
206 of having satisfactorily completed the educational curriculum
207 administered by a division-approved condominium education
208 provider within 1 year before or 90 days after the date of
209 election or appointment. The written certification or
210 educational certificate is valid and does not have to be
211 resubmitted as long as the director serves on the board without
212 interruption. A director of an association of a residential

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

213 condominium who fails to timely file the written certification
214 or educational certificate is suspended from service on the
215 board until he or she complies with this sub-subparagraph. The
216 board may temporarily fill the vacancy during the period of
217 suspension. The secretary shall cause the association to retain
218 a director's written certification or educational certificate
219 for inspection by the members for 5 years after a director's
220 election or the duration of the director's uninterrupted tenure,
221 whichever is longer. Failure to have such written certification
222 or educational certificate on file does not affect the validity
223 of any board action.

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

226 5. Any approval by unit owners called for by this chapter
227 or the applicable declaration or bylaws, including, but not
228 limited to, the approval requirement in s. 718.111(8), must be
229 made at a duly noticed meeting of unit owners and is subject to
230 all requirements of this chapter or the applicable condominium
231 documents relating to unit owner decisionmaking, except that
232 unit owners may take action by written agreement, without
233 meetings, on matters for which action by written agreement
234 without meetings is expressly allowed by the applicable bylaws
235 or declaration or any law that provides for such action.

236 6. Unit owners may waive notice of specific meetings if
237 allowed by the applicable bylaws or declaration or any law.

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

238 Notice of meetings of the board of administration, unit owner
239 meetings, except unit owner meetings called to recall board
240 members under paragraph (j), and committee meetings may be given
241 by electronic transmission to unit owners who consent to receive
242 notice by electronic transmission. A unit owner who consents to
243 receiving notices by electronic transmission is solely
244 responsible for removing or bypassing filters that block receipt
245 of mass e-mails ~~emails~~ sent to members on behalf of the
246 association in the course of giving electronic notices.

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

251 8. A unit owner may tape record or videotape a meeting of
252 the unit owners subject to reasonable rules adopted by the
253 division.

254 9. Unless otherwise provided in the bylaws, any vacancy
255 occurring on the board before the expiration of a term may be
256 filled by the affirmative vote of the majority of the remaining
257 directors, even if the remaining directors constitute less than
258 a quorum, or by the sole remaining director. In the alternative,
259 a board may hold an election to fill the vacancy, in which case
260 the election procedures must conform to sub-subparagraph 4.a.
261 unless the association governs 10 units or fewer and has opted
262 out of the statutory election process, in which case the bylaws

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

263 of the association control. Unless otherwise provided in the
264 bylaws, a board member appointed or elected under this section
265 shall fill the vacancy for the unexpired term of the seat being
266 filled. Filling vacancies created by recall is governed by
267 paragraph (j) and rules adopted by the division.

268 10. This chapter does not limit the use of general or
269 limited proxies, require the use of general or limited proxies,
270 or require the use of a written ballot or voting machine for any
271 agenda item or election at any meeting of a timeshare
272 condominium association or nonresidential condominium
273 association.

274
275 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
276 association of 10 or fewer units may, by affirmative vote of a
277 majority of the total voting interests, provide for different
278 voting and election procedures in its bylaws, which may be by a
279 proxy specifically delineating the different voting and election
280 procedures. The different voting and election procedures may
281 provide for elections to be conducted by limited or general
282 proxy.

283 (1) Certificate of compliance.—A provision that a
284 certificate of compliance from a licensed electrical contractor
285 or electrician may be accepted by the association's board as
286 evidence of compliance of the condominium units with the
287 applicable fire and life safety code must be included.

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

288 Notwithstanding chapter 633 or of any other code, statute,
289 ordinance, administrative rule, or regulation, or any
290 interpretation of the foregoing, an association, residential
291 condominium, or unit owner is not obligated to retrofit the
292 common elements, association property, or units of a residential
293 condominium with a fire sprinkler system in a building that has
294 been certified for occupancy by the applicable governmental
295 entity if the unit owners have voted to forego such retrofitting
296 by the affirmative vote of a majority of all voting interests in
297 the affected condominium. The local authority having
298 jurisdiction may not require completion of retrofitting with a
299 fire sprinkler system or completion of installation of an
300 engineered life safety system before January 1, 2024 ~~2020~~. By
301 December 31, 2020 ~~2016~~, a residential condominium association
302 that is not in compliance with the requirements for a fire
303 sprinkler system and that had ~~has~~ not voted to forego
304 retrofitting of such a system by December 31, 2016, must
305 initiate an application for a building permit for the required
306 installation with the local government having jurisdiction
307 demonstrating that the association will become compliant by
308 December 31, 2023 ~~2019~~.

309 1. A vote to forego retrofitting may be obtained by
310 limited proxy or by a ballot personally cast at a duly called
311 membership meeting, or by execution of a written consent by the
312 member, and is effective upon recording a certificate attesting

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

313 to such vote in the public records of the county where the
314 condominium is located. The association shall mail or hand
315 deliver to each unit owner written notice at least 14 days
316 before the membership meeting in which the vote to forego
317 retrofitting of the required fire sprinkler system is to take
318 place. Within 30 days after the association's opt-out vote,
319 notice of the results of the opt-out vote must be mailed or hand
320 delivered to all unit owners. Evidence of compliance with this
321 notice requirement must be made by affidavit executed by the
322 person providing the notice and filed among the official records
323 of the association. After notice is provided to each owner, a
324 copy must be provided by the current owner to a new owner before
325 closing and by a unit owner to a renter before signing a lease.

326 2. If there has been a previous vote to forego
327 retrofitting, a vote to require retrofitting may be obtained at
328 a special meeting of the unit owners called by a petition of at
329 least 10 percent of the voting interests. Such a vote may only
330 be called once every 3 years. Notice shall be provided as
331 required for any regularly called meeting of the unit owners,
332 and must state the purpose of the meeting. Electronic
333 transmission may not be used to provide notice of a meeting
334 called in whole or in part for this purpose.

335 3. As part of the information collected annually from
336 condominiums, the division shall require condominium
337 associations to report the membership vote and recording of a

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

338 certificate under this subsection and, if retrofitting has been
339 undertaken, the per-unit cost of such work. The division shall
340 annually report to the Division of State Fire Marshal of the
341 Department of Financial Services the number of condominiums that
342 have elected to forego retrofitting.

343 4. Notwithstanding s. 553.509, a residential association
344 may not be obligated to, and may forego the retrofitting of, any
345 improvements required by s. 553.509(2) upon an affirmative vote
346 of a majority of the voting interests in the affected
347 condominium.

348 5. This paragraph does not apply to timeshare condominium
349 associations, which shall be governed by s. 721.24.

350 ~~(p) Service providers; conflicts of interest. An~~
351 ~~association, which is not a timeshare condominium association,~~
352 ~~may not employ or contract with any service provider that is~~
353 ~~owned or operated by a board member or with any person who has a~~
354 ~~financial relationship with a board member or officer, or a~~
355 ~~relative within the third degree of consanguinity by blood or~~
356 ~~marriage of a board member or officer. This paragraph does not~~
357 ~~apply to a service provider in which a board member or officer,~~
358 ~~or a relative within the third degree of consanguinity by blood~~
359 ~~or marriage of a board member or officer, owns less than 1~~
360 ~~percent of the equity shares.~~

361 Section 6. Paragraphs (a) and (c) of subsection (8) of
362 section 718.113, Florida Statutes, are amended to read:

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

363 718.113 Maintenance; limitation upon improvement; display
364 of flag; hurricane shutters and protection; display of religious
365 decorations.-

366 (8) The Legislature finds that the use of electric
367 vehicles conserves and protects the state's environmental
368 resources, provides significant economic savings to drivers, and
369 serves an important public interest. The participation of
370 condominium associations is essential to the state's efforts to
371 conserve and protect the state's environmental resources and
372 provide economic savings to drivers. Therefore, the installation
373 of an electric vehicle charging station shall be governed as
374 follows:

375 (a) A declaration of condominium or restrictive covenant
376 may not prohibit or be enforced so as to prohibit any unit owner
377 from installing an electric vehicle charging station within the
378 boundaries of the unit owner's limited common element or
379 exclusively designated parking area. The board of administration
380 of a condominium association may not prohibit a unit owner from
381 installing an electric vehicle charging station for an electric
382 vehicle, as defined in s. 320.01, within the boundaries of his
383 or her limited common element or exclusively designated parking
384 area. The installation of such charging stations are subject to
385 the provisions of this subsection.

386 (c) The electricity for the electric vehicle charging
387 station must be separately metered or must use an embedded meter

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

388 and be payable by the unit owner installing such charging
389 station.

390 Section 7. Section 718.5014, Florida Statutes, is amended
391 to read:

392 718.5014 Ombudsman location.—The ombudsman shall maintain
393 his or her principal office in any ~~Leon County on the premises~~
394 ~~of the division or, if suitable space cannot be provided there,~~
395 ~~at another~~ place convenient to the offices of the division which
396 will enable the ombudsman to expeditiously carry out the duties
397 and functions of his or her office. The ombudsman may establish
398 branch offices elsewhere in the state upon the concurrence of
399 the Governor.

400 Section 8. Subsection (25) of section 719.103, Florida
401 Statutes, is amended to read:

402 719.103 Definitions.—As used in this chapter:

403 (25) "Unit" means a part of the cooperative property which
404 is subject to exclusive use and possession. A unit may be
405 improvements, land, or land and improvements together, as
406 specified in the cooperative documents. An interest in a unit is
407 an interest in real property.

408 Section 9. Paragraph (c) of subsection (2) of section
409 719.104, Florida Statutes, is amended to read:

410 719.104 Cooperatives; access to units; records; financial
411 reports; assessments; purchase of leases.—

412 (2) OFFICIAL RECORDS.—

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

413 (c) The official records of the association are open to
414 inspection by any association member or the authorized
415 representative of such member at all reasonable times. The right
416 to inspect the records includes the right to make or obtain
417 copies, at the reasonable expense, if any, of the association
418 member. The association may adopt reasonable rules regarding the
419 frequency, time, location, notice, and manner of record
420 inspections and copying, but may not require a member to
421 demonstrate any purpose or state any reason for the inspection.
422 The failure of an association to provide the records within 10
423 working days after receipt of a written request creates a
424 rebuttable presumption that the association willfully failed to
425 comply with this paragraph. A member ~~unit-owner~~ who is denied
426 access to official records is entitled to the actual damages or
427 minimum damages for the association's willful failure to comply.
428 The minimum damages are \$50 per calendar day for up to 10 days,
429 beginning on the 11th working day after receipt of the written
430 request. The failure to permit inspection entitles any person
431 prevailing in an enforcement action to recover reasonable
432 attorney fees from the person in control of the records who,
433 directly or indirectly, knowingly denied access to the records.
434 Any person who knowingly or intentionally defaces or destroys
435 accounting records that are required by this chapter to be
436 maintained during the period for which such records are required
437 to be maintained, or who knowingly or intentionally fails to

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

438 create or maintain accounting records that are required to be
439 created or maintained, with the intent of causing harm to the
440 association or one or more of its members, is personally subject
441 to a civil penalty pursuant to s. 719.501(1)(d). The association
442 shall maintain an adequate number of copies of the declaration,
443 articles of incorporation, bylaws, and rules, and all amendments
444 to each of the foregoing, as well as the question and answer
445 sheet as described in s. 719.504 and year-end financial
446 information required by the department, on the cooperative
447 property to ensure their availability to members ~~unit-owners~~ and
448 prospective purchasers, and may charge its actual costs for
449 preparing and furnishing these documents to those requesting the
450 same. An association shall allow a member or his or her
451 authorized representative to use a portable device, including a
452 smartphone, tablet, portable scanner, or any other technology
453 capable of scanning or taking photographs, to make an electronic
454 copy of the official records in lieu of the association
455 providing the member or his or her authorized representative
456 with a copy of such records. The association may not charge a
457 member or his or her authorized representative for the use of a
458 portable device. Notwithstanding this paragraph, the following
459 records shall not be accessible to members ~~unit-owners~~:

460 1. Any record protected by the lawyer-client privilege as
461 described in s. 90.502 and any record protected by the work-
462 product privilege, including any record prepared by an

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

463 association attorney or prepared at the attorney's express
464 direction which reflects a mental impression, conclusion,
465 litigation strategy, or legal theory of the attorney or the
466 association, and which was prepared exclusively for civil or
467 criminal litigation or for adversarial administrative
468 proceedings, or which was prepared in anticipation of such
469 litigation or proceedings until the conclusion of the litigation
470 or proceedings.

471 2. Information obtained by an association in connection
472 with the approval of the lease, sale, or other transfer of a
473 unit.

474 3. Personnel records of association or management company
475 employees, including, but not limited to, disciplinary, payroll,
476 health, and insurance records. For purposes of this
477 subparagraph, the term "personnel records" does not include
478 written employment agreements with an association employee or
479 management company, or budgetary or financial records that
480 indicate the compensation paid to an association employee.

481 4. Medical records of unit owners.

482 5. Social security numbers, driver license numbers, credit
483 card numbers, e-mail addresses, telephone numbers, facsimile
484 numbers, emergency contact information, addresses of a unit
485 owner other than as provided to fulfill the association's notice
486 requirements, and other personal identifying information of any
487 person, excluding the person's name, unit designation, mailing

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

488 address, property address, and any address, e-mail address, or
 489 facsimile number provided to the association to fulfill the
 490 association's notice requirements. Notwithstanding the
 491 restrictions in this subparagraph, an association may print and
 492 distribute to unit ~~parcel~~ owners a directory containing the
 493 name, unit ~~parcel~~ address, and all telephone numbers of each
 494 unit ~~parcel~~ owner. However, an owner may exclude his or her
 495 telephone numbers from the directory by so requesting in writing
 496 to the association. An owner may consent in writing to the
 497 disclosure of other contact information described in this
 498 subparagraph. The association is not liable for the inadvertent
 499 disclosure of information that is protected under this
 500 subparagraph if the information is included in an official
 501 record of the association and is voluntarily provided by an
 502 owner and not requested by the association.

503 6. Electronic security measures that are used by the
 504 association to safeguard data, including passwords.

505 7. The software and operating system used by the
 506 association which allow the manipulation of data, even if the
 507 owner owns a copy of the same software used by the association.
 508 The data is part of the official records of the association.

509 -----

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

511 Remove lines 265-297 of the amendment and insert:

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

512 An act relating to community associations; amending s.
513 514.0115, F.S.; providing that certain property
514 association pools are exempt from Department of Health
515 regulations; amending s. 553.792, F.S.; requiring,
516 beginning on a certain date, that a uniform fire alarm
517 permit application, along with certain other
518 information, be used and submitted to the local
519 enforcement agency for any project requiring a fire
520 alarm permit; providing that such application may be
521 submitted by certain means; providing a signature
522 requirement; specifying information required in, and a
523 form for, such applications; providing applicability;
524 authorizing contractors, under certain circumstances,
525 to begin fire alarm system repairs upon filing the
526 uniform fire alarm permit application; amending s.
527 633.216, F.S.; conforming a cross-reference; amending
528 s. 633.312, F.S.; authorizing local authorities having
529 jurisdiction to accept uniform summary inspection
530 reports of certain fire hydrants and fire protection
531 systems by certain means; requiring the State Fire
532 Marshal to adopt rules implementing a uniform summary
533 inspection report and certain submission procedures;
534 providing requirements for such uniform report and
535 procedures; providing that such procedures may not
536 require a contractor to submit certain information;

122357

Approved For Filing: 5/3/2019 1:44:18 PM

Amendment No.

537 amending s. 718.112, F.S.; specifying that only board
538 service that occurs on or after a specified date may
539 be used for calculating a board member's term limit;
540 providing requirements for certain notices; extending
541 and specifying the date before which a local authority
542 having jurisdiction may not require a condominium to
543 complete retrofitting with a fire sprinkler system or
544 complete installation of an engineered life safety
545 system, respectively; requiring certain residential
546 condominium associations that had not voted to forego
547 retrofitting as of a certain date to initiate a
548 certain building permit application by a certain date;
549 providing applicability; deleting a prohibition
550 against employing or contracting with certain service
551 providers; amending s. 718.113, F.S.; revising
552 regulations for electronic vehicles; amending s.
553 718.5014, F.S.; revising the location of the principal
554 office of the Office of the Condominium Ombudsman;
555 amending s. 719.103, F.S.; revising the definition of
556 the term "unit" to specify that an interest in a
557 cooperative unit is an interest in real property;
558 amending s. 719.104, F.S.; prohibiting an association
559 from requiring certain actions related to the
560 inspection of records; requiring the State Fire

122357

Approved For Filing: 5/3/2019 1:44:18 PM