



340708

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/3R

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04/29/2019 01:36 PM

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Senator Hooper moved the following:

1 **Senate Amendment to Amendment (799580) (with title**
2 **amendment)**

3
4 Delete lines 201 - 250

5 and insert:

6 ~~the affected condominium.~~

7 1. The local authority having jurisdiction may not require
8 completion of retrofitting with a fire sprinkler system or
9 completion of installation of an engineered life safety system
10 before January 1, 2024 ~~2020~~. By December 31, 2016, a residential
11 condominium association that is not in compliance with the



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12 requirements for a fire sprinkler system and has not voted to
13 forego retrofitting of such a system must initiate an
14 application for a building permit for the required installation
15 with the local government having jurisdiction demonstrating that
16 the association will become compliant by December 31, 2023 ~~2019~~.

17 2.1~~4~~. A vote to forego retrofitting may be obtained by
18 limited proxy or by a ballot personally cast at a duly called
19 membership meeting, or by execution of a written consent by the
20 member, and is effective upon recording a certificate attesting
21 to such vote in the public records of the county where the
22 condominium is located. The association shall mail or hand
23 deliver to each unit owner written notice at least 14 days
24 before the membership meeting in which the vote to forego
25 retrofitting of the required fire sprinkler system is to take
26 place. Within 30 days after the association's opt-out vote,
27 notice of the results of the opt-out vote must be mailed or hand
28 delivered to all unit owners. Evidence of compliance with this
29 notice requirement must be made by affidavit executed by the
30 person providing the notice and filed among the official records
31 of the association. After notice is provided to each owner, a
32 copy must be provided by the current owner to a new owner before
33 closing and by a unit owner to a renter before signing a lease.

34 3.2~~7~~. If there has been a previous vote to forego
35 retrofitting, a vote to require retrofitting may be obtained at
36 a special meeting of the unit owners called by a petition of at
37 least 10 percent of the voting interests. Such a vote may only
38 be called once every 3 years. Notice shall be provided as
39 required for any regularly called meeting of the unit owners,
40 and must state the purpose of the meeting. Electronic



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41 transmission may not be used to provide notice of a meeting
42 called in whole or in part for this purpose.

43 ~~4.3.~~ As part of the information collected annually from
44 condominiums, the division shall require condominium
45 associations to report the membership vote and recording of a
46 certificate under this subsection and, if retrofitting has been
47 undertaken, the per-unit cost of such work. The division shall
48 annually report to the Division of State Fire Marshal of the
49 Department of Financial Services the number of condominiums that
50 have elected to forego retrofitting.

51 ~~5.4.~~ Notwithstanding s. 553.509, a residential association
52 may not be obligated to, and may forego the retrofitting of, any
53 improvements required by s. 553.509(2) upon an affirmative vote
54 of a majority of the voting interests in the affected
55 condominium.

56 6. This paragraph does not apply to timeshare condominium
57 associations, which shall be governed by s. 721.24.

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete lines 305 - 311

62 and insert:

63 extending the date before which a local authority
64 having jurisdiction may not require completion of a
65 condominium's retrofitting with a fire sprinkler
66 system; specifying the date before which such local
67 authority having jurisdiction may not require
68 completion of installation of an engineered life
69 safety system; extending a certain deadline for



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residential condominium associations for compliance
with certain requirements; providing applicability;
requiring the State