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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/28/2020	.	
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The Committee on Innovation, Industry, and Technology (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. 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



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11 associations, which have no more than 32 condominium or
12 cooperative units or parcels and which are not operated as a
13 public lodging establishments are establishment shall be exempt
14 from supervision under this chapter, except for water quality.

15 Section 2. Subsection (4) of section 627.714, Florida
16 Statutes, is amended to read:

17 627.714 Residential condominium unit owner coverage; loss
18 assessment coverage required.—

19 (4) Every individual unit owner's residential property
20 policy must contain a provision stating that the coverage
21 afforded by such policy is excess coverage over the amount
22 recoverable under any other policy covering the same property.
23 If a condominium association's insurance policy does not provide
24 rights for subrogation against the unit owners in the
25 association, an insurance policy issued to an individual unit
26 owner located in the association may not provide rights of
27 subrogation against the condominium association.

28 Section 3. Section 712.065, Florida Statutes, is created to
29 read:

30 712.065 Extinguishment of discriminatory restrictions.—

31 (1) As used in this section, the term "discriminatory
32 restriction" means a provision in a title transaction recorded
33 in this state which restricts the ownership, occupancy, or use
34 of any real property in this state by any natural person on the
35 basis of a characteristic that has been held, or is held after
36 July 1, 2020, by the United States Supreme Court or the Florida
37 Supreme Court to be protected against discrimination under the
38 Fourteenth Amendment to the United States Constitution or under
39 s. 2, Art. I of the State Constitution, including race, color,



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40 national origin, religion, gender, or physical disability.

41 (2) A discriminatory restriction is not enforceable in this
42 state, and all discriminatory restrictions contained in any
43 title transaction recorded in this state are unlawful, are
44 unenforceable, and are declared null and void. Any
45 discriminatory restriction contained in a previously recorded
46 title transaction is extinguished and severed from the recorded
47 title transaction and the remainder of the title transaction
48 remains enforceable and effective. The recording of any notice
49 preserving or protecting interests or rights pursuant to s.
50 712.05 does not reimpose or preserve any discriminatory
51 restriction that is extinguished under this section.

52 (3) Upon request of a parcel owner, a discriminatory
53 restriction appearing in a covenant or restriction affecting the
54 parcel may be removed from the covenant or restriction by an
55 amendment approved by a majority vote of the board of directors
56 of the respective property owners' association or an owners'
57 association in which all owners may voluntarily join,
58 notwithstanding any other requirements for approval of an
59 amendment of the covenant or restriction. Unless the amendment
60 also changes other provisions of the covenant or restriction,
61 the recording of an amendment removing a discriminatory
62 restriction does not constitute a title transaction occurring
63 after the root of title for purposes of s. 712.03(4).

64 Section 4. Paragraphs (a), (b), (c), and (g) of subsection
65 (12) of section 718.111, Florida Statutes, are amended to read:

66 718.111 The association.—

67 (12) OFFICIAL RECORDS.—

68 (a) From the inception of the association, the association



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69 shall maintain each of the following items, if applicable, which
70 constitutes the official records of the association:

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

73 2. A photocopy of the recorded declaration of condominium
74 of each condominium operated by the association and each
75 amendment to each declaration.

76 3. A photocopy of the recorded bylaws of the association
77 and each amendment to the bylaws.

78 4. A certified copy of the articles of incorporation of the
79 association, or other documents creating the association, and
80 each amendment thereto.

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

82 6. A book or books that contain the minutes of all meetings
83 of the association, the board of administration, and the unit
84 owners.

85 7. A current roster of all unit owners and their mailing
86 addresses, unit identifications, voting certifications, and, if
87 known, telephone numbers. The association shall also maintain
88 the e-mail addresses and facsimile numbers of unit owners
89 consenting to receive notice by electronic transmission. The e-
90 mail addresses and facsimile numbers are not accessible to unit
91 owners if consent to receive notice by electronic transmission
92 is not provided in accordance with sub-subparagraph (c)3.e.
93 However, the association is not liable for an inadvertent
94 disclosure of the e-mail address or facsimile number for
95 receiving electronic transmission of notices.

96 8. All current insurance policies of the association and
97 condominiums operated by the association.



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98 9. A current copy of any management agreement, lease, or
99 other contract to which the association is a party or under
100 which the association or the unit owners have an obligation or
101 responsibility.

102 10. Bills of sale or transfer for all property owned by the
103 association.

104 11. Accounting records for the association and separate
105 accounting records for each condominium that the association
106 operates. Any person who knowingly or intentionally defaces or
107 destroys such records, or who knowingly or intentionally fails
108 to create or maintain such records, with the intent of causing
109 harm to the association or one or more of its members, is
110 personally subject to a civil penalty pursuant to s.
111 718.501(1)(d). The accounting records must include, but are not
112 limited to:

113 a. Accurate, itemized, and detailed records of all receipts
114 and expenditures.

115 b. A current account and a monthly, bimonthly, or quarterly
116 statement of the account for each unit designating the name of
117 the unit owner, the due date and amount of each assessment, the
118 amount paid on the account, and the balance due.

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

121 d. All contracts for work to be performed. Bids for work to
122 be performed are also considered official records and must be
123 maintained by the association for at least 1 year after receipt
124 of the bid.

125 12. Ballots, sign-in sheets, voting proxies, and all other
126 papers and electronic records relating to voting by unit owners,



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127 which must be maintained for 1 year from the date of the
128 election, vote, or meeting to which the document relates,
129 notwithstanding paragraph (b).

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

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

134 ~~15. All other written records of the association not~~
135 ~~specifically included in the foregoing which are related to the~~
136 ~~operation of the association.~~

137 ~~16.~~ A copy of the inspection report as described in s.
138 718.301(4)(p).

139 ~~16.~~~~17.~~ Bids for materials, equipment, or services.

140 17. All other written records of the association not
141 specifically included in subparagraphs 1.-16. which are related
142 to the operation of the association.

143 (b) The official records specified in subparagraphs (a)1.-
144 6. must be permanently maintained from the inception of the
145 association. Bids for work to be performed or for materials,
146 equipment, or services must be maintained for at least 1 year
147 after receipt of the bid. All other official records must be
148 maintained within the state for at least 7 years, unless
149 otherwise provided by general law. The records of the
150 association shall be made available to a unit owner within 45
151 miles of the condominium property or within the county in which
152 the condominium property is located within 10 working days after
153 receipt of a written request by the board or its designee.
154 However, such distance requirement does not apply to an
155 association governing a timeshare condominium. This paragraph



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156 may be complied with by having a copy of the official records of
157 the association available for inspection or copying on the
158 condominium property or association property, or the association
159 may offer the option of making the records available to a unit
160 owner electronically via the Internet or by allowing the records
161 to be viewed in electronic format on a computer screen and
162 printed upon request. The association is not responsible for the
163 use or misuse of the information provided to an association
164 member or his or her authorized representative in pursuant to
165 the compliance with requirements of this chapter unless the
166 association has an affirmative duty not to disclose such
167 information under pursuant to this chapter.

168 (c)1. The official records of the association are open to
169 inspection by any association member or the authorized
170 representative of such member at all reasonable times. The right
171 to inspect the records includes the right to make or obtain
172 copies, at the reasonable expense, if any, of the member or
173 authorized representative of such member. A renter of a unit has
174 a right to inspect and copy the association's bylaws and rules.
175 The association may adopt reasonable rules regarding the
176 frequency, time, location, notice, and manner of record
177 inspections and copying, but may not require a member to
178 demonstrate any purpose or state any reason for the inspection.
179 The failure of an association to provide the records within 10
180 working days after receipt of a written request creates a
181 rebuttable presumption that the association willfully failed to
182 comply with this paragraph. A unit owner who is denied access to
183 official records is entitled to the actual damages or minimum
184 damages for the association's willful failure to comply. Minimum



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185 damages are \$50 per calendar day for up to 10 days, beginning on
186 the 11th working day after receipt of the written request. The
187 failure to permit inspection entitles any person prevailing in
188 an enforcement action to recover reasonable attorney fees from
189 the person in control of the records who, directly or
190 indirectly, knowingly denied access to the records.

191 2. Any person who knowingly or intentionally defaces or
192 destroys accounting records that are required by this chapter to
193 be maintained during the period for which such records are
194 required to be maintained, or who knowingly or intentionally
195 fails to create or maintain accounting records that are required
196 to be created or maintained, with the intent of causing harm to
197 the association or one or more of its members, is personally
198 subject to a civil penalty under ~~pursuant to~~ s. 718.501(1)(d).

199 3. The association shall maintain an adequate number of
200 copies of the declaration, articles of incorporation, bylaws,
201 and rules, and all amendments to each of the foregoing, as well
202 as the question and answer sheet as described in s. 718.504 and
203 year-end financial information required under this section, on
204 the condominium property to ensure their availability to unit
205 owners and prospective purchasers, and may charge its actual
206 costs for preparing and furnishing these documents to those
207 requesting the documents. An association shall allow a member or
208 his or her authorized representative to use a portable device,
209 including a smartphone, tablet, portable scanner, or any other
210 technology capable of scanning or taking photographs, to make an
211 electronic copy of the official records in lieu of the
212 association's providing the member or his or her authorized
213 representative with a copy of such records. The association may



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214 not charge a member or his or her authorized representative for
215 the use of a portable device. Notwithstanding this paragraph,
216 the following records are not accessible to unit owners:

217 a. Any record protected by the lawyer-client privilege as
218 described in s. 90.502 and any record protected by the work-
219 product privilege, including a record prepared by an association
220 attorney or prepared at the attorney's express direction, which
221 reflects a mental impression, conclusion, litigation strategy,
222 or legal theory of the attorney or the association, and which
223 was prepared exclusively for civil or criminal litigation or for
224 adversarial administrative proceedings, or which was prepared in
225 anticipation of such litigation or proceedings until the
226 conclusion of the litigation or proceedings.

227 b. Information obtained by an association in connection
228 with the approval of the lease, sale, or other transfer of a
229 unit.

230 c. Personnel records of association or management company
231 employees, including, but not limited to, disciplinary, payroll,
232 health, and insurance records. For purposes of this sub-
233 subparagraph, the term "personnel records" does not include
234 written employment agreements with an association employee or
235 management company, or budgetary or financial records that
236 indicate the compensation paid to an association employee.

237 d. Medical records of unit owners.

238 e. Social security numbers, driver license numbers, credit
239 card numbers, e-mail addresses, telephone numbers, facsimile
240 numbers, emergency contact information, addresses of a unit
241 owner other than as provided to fulfill the association's notice
242 requirements, and other personal identifying information of any



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243 person, excluding the person's name, unit designation, mailing
244 address, property address, and any address, e-mail address, or
245 facsimile number provided to the association to fulfill the
246 association's notice requirements. Notwithstanding the
247 restrictions in this sub-subparagraph, an association may print
248 and distribute to unit ~~parcel~~ owners a directory containing the
249 name, unit ~~parcel~~ address, and all telephone numbers of each
250 unit ~~parcel~~ owner. However, an owner may exclude his or her
251 telephone numbers from the directory by so requesting in writing
252 to the association. An owner may consent in writing to the
253 disclosure of other contact information described in this sub-
254 subparagraph. The association is not liable for the inadvertent
255 disclosure of information that is protected under this sub-
256 subparagraph if the information is included in an official
257 record of the association and is voluntarily provided by an
258 owner and not requested by the association.

259 f. Electronic security measures that are used by the
260 association to safeguard data, including passwords.

261 g. The software and operating system used by the
262 association which allow the manipulation of data, even if the
263 owner owns a copy of the same software used by the association.
264 The data is part of the official records of the association.

265 (g)1. By January 1, 2019, an association managing a
266 condominium with 150 or more units which does not contain
267 timeshare units shall post digital copies of the documents
268 specified in subparagraph 2. on its website or make such
269 documents available through an application that can be
270 downloaded on a mobile device.

271 a. The association's website or application must be:



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272 (I) An independent website, application, or web portal
273 wholly owned and operated by the association; or

274 (II) A website, application, or web portal operated by a
275 third-party provider with whom the association owns, leases,
276 rents, or otherwise obtains the right to operate a web page,
277 subpage, web portal, ~~or~~ collection of subpages or web portals,
278 or application which is dedicated to the association's
279 activities and on which required notices, records, and documents
280 may be posted or made available by the association.

281 b. The association's website or application must be
282 accessible through the Internet and must contain a subpage, web
283 portal, or other protected electronic location that is
284 inaccessible to the general public and accessible only to unit
285 owners and employees of the association.

286 c. Upon a unit owner's written request, the association
287 must provide the unit owner with a username and password and
288 access to the protected sections of the association's website or
289 application that contain any notices, records, or documents that
290 must be electronically provided.

291 2. A current copy of the following documents must be posted
292 in digital format on the association's website or application:

293 a. The recorded declaration of condominium of each
294 condominium operated by the association and each amendment to
295 each declaration.

296 b. The recorded bylaws of the association and each
297 amendment to the bylaws.

298 c. The articles of incorporation of the association, or
299 other documents creating the association, and each amendment to
300 the articles of incorporation or other documents thereto. The



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301 copy posted pursuant to this sub-subparagraph must be a copy of
302 the articles of incorporation filed with the Department of
303 State.

304 d. The rules of the association.

305 e. A list of all executory contracts or documents to which
306 the association is a party or under which the association or the
307 unit owners have an obligation or responsibility and, after
308 bidding for the related materials, equipment, or services has
309 closed, a list of bids received by the association within the
310 past year. Summaries of bids for materials, equipment, or
311 services which exceed \$500 must be maintained on the website or
312 application for 1 year. In lieu of summaries, complete copies of
313 the bids may be posted.

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

316 g. The financial report required by subsection (13) and any
317 monthly income or expense statement to be considered at a
318 meeting.

319 h. The certification of each director required by s.
320 718.112(2)(d)4.b.

321 i. All contracts or transactions between the association
322 and any director, officer, corporation, firm, or association
323 that is not an affiliated condominium association or any other
324 entity in which an association director is also a director or
325 officer and financially interested.

326 j. Any contract or document regarding a conflict of
327 interest or possible conflict of interest as provided in ss.
328 468.436(2)(b)6. and 718.3027(3).

329 k. The notice of any unit owner meeting and the agenda for



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330 the meeting, as required by s. 718.112(2)(d)3., no later than 14
331 days before the meeting. The notice must be posted in plain view
332 on the front page of the website or application, or on a
333 separate subpage of the website or application labeled "Notices"
334 which is conspicuously visible and linked from the front page.
335 The association must also post on its website or application any
336 document to be considered and voted on by the owners during the
337 meeting or any document listed on the agenda at least 7 days
338 before the meeting at which the document or the information
339 within the document will be considered.

340 1. Notice of any board meeting, the agenda, and any other
341 document required for the meeting as required by s.
342 718.112(2)(c), which must be posted no later than the date
343 required for notice under ~~pursuant to~~ s. 718.112(2)(c).

344 3. The association shall ensure that the information and
345 records described in paragraph (c), which are not allowed to be
346 accessible to unit owners, are not posted on the association's
347 website or application. If protected information or information
348 restricted from being accessible to unit owners is included in
349 documents that are required to be posted on the association's
350 website or application, the association shall ensure the
351 information is redacted before posting the documents ~~online~~.
352 Notwithstanding the foregoing, the association or its agent is
353 not liable for disclosing information that is protected or
354 restricted under ~~pursuant to~~ this paragraph unless such
355 disclosure was made with a knowing or intentional disregard of
356 the protected or restricted nature of such information.

357 4. The failure of the association to post information
358 required under subparagraph 2. is not in and of itself



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359 sufficient to invalidate any action or decision of the
360 association's board or its committees.

361 Section 5. Paragraphs (d), (i), (k), and (p) of subsection
362 (2) of section 718.112, Florida Statutes, are amended, and
363 paragraph (c) is added to subsection (1) of that section, to
364 read:

365 718.112 Bylaws.—

366 (1) GENERALLY.—

367 (c) The association may extinguish a discriminatory
368 restriction, as defined in s. 712.065(1), pursuant to s.
369 712.065.

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

373 (d) *Unit owner meetings.*—

374 1. An annual meeting of the unit owners must be held at the
375 location provided in the association bylaws and, if the bylaws
376 are silent as to the location, the meeting must be held within
377 45 miles of the condominium property. However, such distance
378 requirement does not apply to an association governing a
379 timeshare condominium.

380 2. Unless the bylaws provide otherwise, a vacancy on the
381 board caused by the expiration of a director's term must be
382 filled by electing a new board member, and the election must be
383 by secret ballot. An election is not required if the number of
384 vacancies equals or exceeds the number of candidates. For
385 purposes of this paragraph, the term "candidate" means an
386 eligible person who has timely submitted the written notice, as
387 described in sub-subparagraph 4.a., of his or her intention to



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388 become a candidate. Except in a timeshare or nonresidential
389 condominium, or if the staggered term of a board member does not
390 expire until a later annual meeting, or if all members' terms
391 would otherwise expire but there are no candidates, the terms of
392 all board members expire at the annual meeting, and such members
393 may stand for reelection unless prohibited by the bylaws. Board
394 members may serve terms longer than 1 year if permitted by the
395 bylaws or articles of incorporation. A board member may not
396 serve more than 8 consecutive years unless approved by an
397 affirmative vote of unit owners representing two-thirds of all
398 votes cast in the election or unless there are not enough
399 eligible candidates to fill the vacancies on the board at the
400 time of the vacancy. Only board service that occurs on or after
401 July 1, 2018, may be used when calculating a board member's term
402 limit. If the number of board members whose terms expire at the
403 annual meeting equals or exceeds the number of candidates, the
404 candidates become members of the board effective upon the
405 adjournment of the annual meeting. Unless the bylaws provide
406 otherwise, any remaining vacancies shall be filled by the
407 affirmative vote of the majority of the directors making up the
408 newly constituted board even if the directors constitute less
409 than a quorum or there is only one director. In a residential
410 condominium association of more than 10 units or in a
411 residential condominium association that does not include
412 timeshare units or timeshare interests, co-owners of a unit may
413 not serve as members of the board of directors at the same time
414 unless they own more than one unit or unless there are not
415 enough eligible candidates to fill the vacancies on the board at
416 the time of the vacancy. A unit owner in a residential



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417 condominium desiring to be a candidate for board membership must
418 comply with sub-subparagraph 4.a. and must be eligible to be a
419 candidate to serve on the board of directors at the time of the
420 deadline for submitting a notice of intent to run in order to
421 have his or her name listed as a proper candidate on the ballot
422 or to serve on the board. A person who has been suspended or
423 removed by the division under this chapter, or who is delinquent
424 in the payment of any monetary obligation due to the
425 association, is not eligible to be a candidate for board
426 membership and may not be listed on the ballot. A person who has
427 been convicted of any felony in this state or in a United States
428 District or Territorial Court, or who has been convicted of any
429 offense in another jurisdiction which would be considered a
430 felony if committed in this state, is not eligible for board
431 membership unless such felon's civil rights have been restored
432 for at least 5 years as of the date such person seeks election
433 to the board. The validity of an action by the board is not
434 affected if it is later determined that a board member is
435 ineligible for board membership due to having been convicted of
436 a felony. This subparagraph does not limit the term of a member
437 of the board of a nonresidential or timeshare condominium.

438 3. The bylaws must provide the method of calling meetings
439 of unit owners, including annual meetings. Written notice of an
440 annual meeting must include an agenda;~~it must~~ be mailed, hand
441 delivered, or electronically transmitted to each unit owner at
442 least 14 days before the annual meeting;~~it~~ and ~~must~~ be posted in
443 a conspicuous place on the condominium property at least 14
444 continuous days before the annual meeting. Written notice of a
445 meeting other than an annual meeting must include an agenda; be



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446 mailed, hand delivered, or electronically transmitted to each
447 unit owner; and be posted in a conspicuous place on the
448 condominium property in accordance with the minimum period of
449 time for posting a notice as set forth in the bylaws, or if the
450 bylaws do not provide such notice requirements, at least 14
451 continuous days before the meeting. Upon notice to the unit
452 owners, the board shall, by duly adopted rule, designate a
453 specific location on the condominium property where all notices
454 of unit owner meetings must be posted. This requirement does not
455 apply if there is no condominium property for posting notices.
456 In lieu of, or in addition to, the physical posting of meeting
457 notices, the association may, by reasonable rule, adopt a
458 procedure for conspicuously posting and repeatedly broadcasting
459 the notice and the agenda on a closed-circuit cable television
460 system serving the condominium association. However, if
461 broadcast notice is used in lieu of a notice posted physically
462 on the condominium property, the notice and agenda must be
463 broadcast at least four times every broadcast hour of each day
464 that a posted notice is otherwise required under this section.
465 If broadcast notice is provided, the notice and agenda must be
466 broadcast in a manner and for a sufficient continuous length of
467 time so as to allow an average reader to observe the notice and
468 read and comprehend the entire content of the notice and the
469 agenda. In addition to any of the authorized means of providing
470 notice of a meeting of the board, the association may, by rule,
471 adopt a procedure for conspicuously posting the meeting notice
472 and the agenda on a website serving the condominium association
473 for at least the minimum period of time for which a notice of a
474 meeting is also required to be physically posted on the



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475 condominium property. Any rule adopted shall, in addition to
476 other matters, include a requirement that the association send
477 an electronic notice in the same manner as a notice for a
478 meeting of the members, which must include a hyperlink to the
479 website where the notice is posted, to unit owners whose e-mail
480 addresses are included in the association's official records.
481 Unless a unit owner waives in writing the right to receive
482 notice of the annual meeting, such notice must be hand
483 delivered, mailed, or electronically transmitted to each unit
484 owner. Notice for meetings and notice for all other purposes
485 must be mailed to each unit owner at the address last furnished
486 to the association by the unit owner, or hand delivered to each
487 unit owner. However, if a unit is owned by more than one person,
488 the association must provide notice to the address that the
489 developer identifies for that purpose and thereafter as one or
490 more of the owners of the unit advise the association in
491 writing, or if no address is given or the owners of the unit do
492 not agree, to the address provided on the deed of record. An
493 officer of the association, or the manager or other person
494 providing notice of the association meeting, must provide an
495 affidavit or United States Postal Service certificate of
496 mailing, to be included in the official records of the
497 association affirming that the notice was mailed or hand
498 delivered in accordance with this provision.

499 4. The members of the board of a residential condominium
500 shall be elected by written ballot or voting machine. Proxies
501 may not be used in electing the board in general elections or
502 elections to fill vacancies caused by recall, resignation, or
503 otherwise, unless otherwise provided in this chapter. This



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504 subparagraph does not apply to an association governing a
505 timeshare condominium.

506 a. At least 60 days before a scheduled election, the
507 association shall mail, deliver, or electronically transmit, by
508 separate association mailing or included in another association
509 mailing, delivery, or transmission, including regularly
510 published newsletters, to each unit owner entitled to a vote, a
511 first notice of the date of the election. A unit owner or other
512 eligible person desiring to be a candidate for the board must
513 give written notice of his or her intent to be a candidate to
514 the association at least 40 days before a scheduled election.
515 Together with the written notice and agenda as set forth in
516 subparagraph 3., the association shall mail, deliver, or
517 electronically transmit a second notice of the election to all
518 unit owners entitled to vote, together with a ballot that lists
519 all candidates, not less than 14 days or more than 34 days
520 before the date of the election. Upon request of a candidate, an
521 information sheet, no larger than 8 1/2 inches by 11 inches,
522 which must be furnished by the candidate at least 35 days before
523 the election, must be included with the mailing, delivery, or
524 transmission of the ballot, with the costs of mailing, delivery,
525 or electronic transmission and copying to be borne by the
526 association. The association is not liable for the contents of
527 the information sheets prepared by the candidates. In order to
528 reduce costs, the association may print or duplicate the
529 information sheets on both sides of the paper. The division
530 shall by rule establish voting procedures consistent with this
531 sub-subparagraph, including rules establishing procedures for
532 giving notice by electronic transmission and rules providing for



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533 the secrecy of ballots. Elections shall be decided by a
534 plurality of ballots cast. There is no quorum requirement;
535 however, at least 20 percent of the eligible voters must cast a
536 ballot in order to have a valid election. A unit owner may not
537 authorize any other person to vote his or her ballot, and any
538 ballots improperly cast are invalid. A unit owner who violates
539 this provision may be fined by the association in accordance
540 with s. 718.303. A unit owner who needs assistance in casting
541 the ballot for the reasons stated in s. 101.051 may obtain such
542 assistance. The regular election must occur on the date of the
543 annual meeting. Notwithstanding this sub-subparagraph, an
544 election is not required unless more candidates file notices of
545 intent to run or are nominated than board vacancies exist.

546 b. Within 90 days after being elected or appointed to the
547 board of an association of a residential condominium, each newly
548 elected or appointed director shall certify in writing to the
549 secretary of the association that he or she has read the
550 association's declaration of condominium, articles of
551 incorporation, bylaws, and current written policies; that he or
552 she will work to uphold such documents and policies to the best
553 of his or her ability; and that he or she will faithfully
554 discharge his or her fiduciary responsibility to the
555 association's members. In lieu of this written certification,
556 within 90 days after being elected or appointed to the board,
557 the newly elected or appointed director may submit a certificate
558 of having satisfactorily completed the educational curriculum
559 administered by a division-approved condominium education
560 provider within 1 year before or 90 days after the date of
561 election or appointment. The written certification or



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562 educational certificate is valid and does not have to be
563 resubmitted as long as the director serves on the board without
564 interruption. A director of an association of a residential
565 condominium who fails to timely file the written certification
566 or educational certificate is suspended from service on the
567 board until he or she complies with this sub-subparagraph. The
568 board may temporarily fill the vacancy during the period of
569 suspension. The secretary shall cause the association to retain
570 a director's written certification or educational certificate
571 for inspection by the members for 5 years after a director's
572 election or the duration of the director's uninterrupted tenure,
573 whichever is longer. Failure to have such written certification
574 or educational certificate on file does not affect the validity
575 of any board action.

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

578 5. Any approval by unit owners called for by this chapter
579 or the applicable declaration or bylaws, including, but not
580 limited to, the approval requirement in s. 718.111(8), must be
581 made at a duly noticed meeting of unit owners and is subject to
582 all requirements of this chapter or the applicable condominium
583 documents relating to unit owner decisionmaking, except that
584 unit owners may take action by written agreement, without
585 meetings, on matters for which action by written agreement
586 without meetings is expressly allowed by the applicable bylaws
587 or declaration or any law that provides for such action.

588 6. Unit owners may waive notice of specific meetings if
589 allowed by the applicable bylaws or declaration or any law.
590 Notice of meetings of the board of administration, unit owner



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591 meetings, except unit owner meetings called to recall board
592 members under paragraph (j), and committee meetings may be given
593 by electronic transmission to unit owners who consent to receive
594 notice by electronic transmission. A unit owner who consents to
595 receiving notices by electronic transmission is solely
596 responsible for removing or bypassing filters that block receipt
597 of mass e-mails ~~emails~~ sent to members on behalf of the
598 association in the course of giving electronic notices.

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

603 8. A unit owner may tape record or videotape a meeting of
604 the unit owners subject to reasonable rules adopted by the
605 division.

606 9. Unless otherwise provided in the bylaws, any vacancy
607 occurring on the board before the expiration of a term may be
608 filled by the affirmative vote of the majority of the remaining
609 directors, even if the remaining directors constitute less than
610 a quorum, or by the sole remaining director. In the alternative,
611 a board may hold an election to fill the vacancy, in which case
612 the election procedures must conform to sub-subparagraph 4.a.
613 unless the association governs 10 units or fewer and has opted
614 out of the statutory election process, in which case the bylaws
615 of the association control. Unless otherwise provided in the
616 bylaws, a board member appointed or elected under this section
617 shall fill the vacancy for the unexpired term of the seat being
618 filled. Filling vacancies created by recall is governed by
619 paragraph (j) and rules adopted by the division.



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620 10. This chapter does not limit the use of general or
621 limited proxies, require the use of general or limited proxies,
622 or require the use of a written ballot or voting machine for any
623 agenda item or election at any meeting of a timeshare
624 condominium association or nonresidential condominium
625 association.

626
627 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
628 association of 10 or fewer units may, by affirmative vote of a
629 majority of the total voting interests, provide for different
630 voting and election procedures in its bylaws, which may be by a
631 proxy specifically delineating the different voting and election
632 procedures. The different voting and election procedures may
633 provide for elections to be conducted by limited or general
634 proxy.

635 (i) *Transfer fees.*—An association may not ~~ne~~ charge an
636 applicant any fees, except the actual costs of any background
637 check or screening performed ~~shall be made~~ by the association,
638 ~~or any body thereof~~ in connection with the sale, mortgage,
639 lease, sublease, or other transfer of a unit unless the
640 association is required to approve such transfer and a fee for
641 such approval is provided for in the declaration, articles, or
642 bylaws. Except for the actual costs of any background check or
643 screening performed by the association, any such fee may be
644 preset, but may not ~~in no event may such fee~~ exceed \$100 per
645 applicant other than spouses or parent and dependent child, who
646 ~~husband/wife or parent/dependent child, which~~ are considered one
647 applicant. However, if the lease or sublease is a renewal of a
648 lease or sublease with the same lessee or sublessee, a charge



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649 ~~may not no charge shall~~ be made. The foregoing notwithstanding,
650 an association may, if the authority to do so appears in the
651 declaration, articles, or bylaws, require that a prospective
652 lessee place a security deposit, in an amount not to exceed the
653 equivalent of 1 month's rent, into an escrow account maintained
654 by the association. The security deposit shall protect against
655 damages to the common elements or association property. Payment
656 of interest, claims against the deposit, refunds, and disputes
657 under this paragraph shall be handled in the same fashion as
658 provided in part II of chapter 83.

659 (k) Alternative Dispute Resolution Arbitration.— There must
660 ~~shall~~ be a provision for mandatory alternative dispute
661 resolution nonbinding arbitration as provided for in s. 718.1255
662 for any residential condominium.

663 ~~(p) Service providers; conflicts of interest.~~— An
664 ~~association, which is not a timeshare condominium association,~~
665 ~~may not employ or contract with any service provider that is~~
666 ~~owned or operated by a board member or with any person who has a~~
667 ~~financial relationship with a board member or officer, or a~~
668 ~~relative within the third degree of consanguinity by blood or~~
669 ~~marriage of a board member or officer. This paragraph does not~~
670 ~~apply to a service provider in which a board member or officer,~~
671 ~~or a relative within the third degree of consanguinity by blood~~
672 ~~or marriage of a board member or officer, owns less than 1~~
673 ~~percent of the equity shares.~~

674 Section 6. Subsection (8) of section 718.113, Florida
675 Statutes, is amended to read:

676 718.113 Maintenance; limitation upon improvement; display
677 of flag; hurricane shutters and protection; display of religious



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678 decorations.-

679 (8) The Legislature finds that the use of electric and
680 natural gas fuel vehicles conserves and protects the state's
681 environmental resources, provides significant economic savings
682 to drivers, and serves an important public interest. The
683 participation of condominium associations is essential to the
684 state's efforts to conserve and protect the state's
685 environmental resources and provide economic savings to drivers.
686 For purposes of this subsection, the term "natural gas fuel" has
687 the same meaning as in s. 206.9951, and the term "natural gas
688 fuel vehicle" means any motor vehicle, as defined in s.
689 320.01(1), powered by natural gas fuel. Therefore, the
690 installation of an electric vehicle charging or natural gas fuel
691 station shall be governed as follows:

692 (a) A declaration of condominium or restrictive covenant
693 may not prohibit or be enforced so as to prohibit any unit owner
694 from installing an electric vehicle charging or natural gas fuel
695 station within the boundaries of the unit owner's limited common
696 element or exclusively designated parking area. The board of
697 administration of a condominium association may not prohibit a
698 unit owner from installing an electric vehicle charging station
699 for an electric vehicle, as defined in s. 320.01, or a natural
700 gas fuel station for a natural gas fuel vehicle within the
701 boundaries of his or her limited common element or exclusively
702 designated parking area. The installation of such charging or
703 fuel stations are subject to the provisions of this subsection.

704 (b) The installation may not cause irreparable damage to
705 the condominium property.

706 (c) The electricity for the electric vehicle charging or



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707 natural gas fuel station must be separately metered or metered
708 by an embedded meter and payable by the unit owner installing
709 such charging or fuel station or by his or her successor.

710 (d) The cost for supply and storage of the natural gas fuel
711 must be paid by the unit owner installing the natural gas fuel
712 station or by his or her successor.

713 (e)-(d) The unit owner who is installing an electric vehicle
714 charging or natural gas fuel station is responsible for the
715 costs of installation, operation, maintenance, and repair,
716 including, but not limited to, hazard and liability insurance.
717 The association may enforce payment of such costs under pursuant
718 to s. 718.116.

719 (f)-(e) If the unit owner or his or her successor decides
720 there is no longer a need for the electronic vehicle charging or
721 natural gas fuel station, such person is responsible for the
722 cost of removal of such the electronic vehicle charging or fuel
723 station. The association may enforce payment of such costs under
724 pursuant to s. 718.116.

725 (g) The unit owner installing, maintaining, or removing the
726 electric vehicle charging or natural gas fuel station is
727 responsible for complying with all federal, state, or local laws
728 and regulations applicable to such installation, maintenance, or
729 removal.

730 (h)-(f) The association may require the unit owner to:

731 1. Comply with bona fide safety requirements, consistent
732 with applicable building codes or recognized safety standards,
733 for the protection of persons and property.

734 2. Comply with reasonable architectural standards adopted
735 by the association that govern the dimensions, placement, or



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736 external appearance of the electric vehicle charging or natural
737 gas fuel station, provided that such standards may not prohibit
738 the installation of such charging or fuel station or
739 substantially increase the cost thereof.

740 3. Engage the services of a licensed and registered firm
741 ~~electrical contractor or engineer~~ familiar with the installation
742 or removal and core requirements of an electric vehicle charging
743 or natural gas fuel station.

744 4. Provide a certificate of insurance naming the
745 association as an additional insured on the owner's insurance
746 policy for any claim related to the installation, maintenance,
747 or use of the electric vehicle charging or natural gas fuel
748 station within 14 days after receiving the association's
749 approval to install such charging or fuel station or notice to
750 provide such a certificate.

751 5. Reimburse the association for the actual cost of any
752 increased insurance premium amount attributable to the electric
753 vehicle charging or natural gas fuel station within 14 days
754 after receiving the association's insurance premium invoice.

755 (i) ~~(g)~~ The association provides an implied easement across
756 the common elements of the condominium property to the unit
757 owner for purposes of ~~the installation of the~~ electric vehicle
758 charging or natural gas fuel station installation, and the
759 furnishing of electrical power or natural gas fuel supply,
760 including any necessary equipment, to such charging or fuel
761 station, subject to the requirements of this subsection.

762 Section 7. Section 718.1255, Florida Statutes, is amended
763 to read:

764 718.1255 Alternative dispute resolution; ~~voluntary~~



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765 mediation; ~~mandatory~~ nonbinding arbitration; legislative
766 findings.—

767 (1) DEFINITIONS.—As used in this section, the term
768 “dispute” means any disagreement between two or more parties
769 that involves:

770 (a) The authority of the board of directors, under this
771 chapter or association document to:

772 1. Require any owner to take any action, or not to take any
773 action, involving that owner’s unit or the appurtenances
774 thereto.

775 2. Alter or add to a common area or element.

776 (b) The failure of a governing body, when required by this
777 chapter or an association document, to:

778 1. Properly conduct elections.

779 2. Give adequate notice of meetings or other actions.

780 3. Properly conduct meetings.

781 4. Allow inspection of books and records.

782 (c) A plan of termination pursuant to s. 718.117.

783

784 “Dispute” does not include any disagreement that primarily
785 involves: title to any unit or common element; the
786 interpretation or enforcement of any warranty; the levy of a fee
787 or assessment, or the collection of an assessment levied against
788 a party; the eviction or other removal of a tenant from a unit;
789 alleged breaches of fiduciary duty by one or more directors; or
790 claims for damages to a unit based upon the alleged failure of
791 the association to maintain the common elements or condominium
792 property.

793 (2) VOLUNTARY MEDIATION.—Voluntary mediation through



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794 Citizen Dispute Settlement Centers as provided for in s. 44.201
795 is encouraged.

796 (3) LEGISLATIVE FINDINGS.—

797 (a) The Legislature finds that unit owners are frequently
798 at a disadvantage when litigating against an association.
799 Specifically, a condominium association, with its statutory
800 assessment authority, is often more able to bear the costs and
801 expenses of litigation than the unit owner who must rely on his
802 or her own financial resources to satisfy the costs of
803 litigation against the association.

804 (b) The Legislature finds that alternative dispute
805 resolution has been making progress in reducing court dockets
806 and trials and in offering a more efficient, cost-effective
807 option to court litigation. However, the Legislature also finds
808 that alternative dispute resolution should not be used as a
809 mechanism to encourage the filing of frivolous or nuisance
810 suits.

811 (c) There exists a need to develop a flexible means of
812 alternative dispute resolution that directs disputes to the most
813 efficient means of resolution.

814 (d) The high cost and significant delay of circuit court
815 litigation faced by unit owners in the state can be alleviated
816 by requiring nonbinding arbitration and mediation in appropriate
817 cases, thereby reducing delay and attorney's fees while
818 preserving the right of either party to have its case heard by a
819 jury, if applicable, in a court of law.

820 (4) ~~MANDATORY~~ NONBINDING ARBITRATION AND MEDIATION OF
821 DISPUTES.—The Division of Florida Condominiums, Timeshares, and
822 Mobile Homes of the Department of Business and Professional



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823 Regulation may employ full-time attorneys to act as arbitrators
824 to conduct the arbitration hearings provided by this chapter.
825 The division may also certify attorneys who are not employed by
826 the division to act as arbitrators to conduct the arbitration
827 hearings provided by this chapter. No person may be employed by
828 the department as a full-time arbitrator unless he or she is a
829 member in good standing of The Florida Bar. A person may only be
830 certified by the division to act as an arbitrator if he or she
831 has been a member in good standing of The Florida Bar for at
832 least 5 years and has mediated or arbitrated at least 10
833 disputes involving condominiums in this state during the 3 years
834 immediately preceding the date of application, mediated or
835 arbitrated at least 30 disputes in any subject area in this
836 state during the 3 years immediately preceding the date of
837 application, or attained board certification in real estate law
838 or condominium and planned development law from The Florida Bar.
839 Arbitrator certification is valid for 1 year. An arbitrator who
840 does not maintain the minimum qualifications for initial
841 certification may not have his or her certification renewed. The
842 department may not enter into a legal services contract for an
843 arbitration hearing under this chapter with an attorney who is
844 not a certified arbitrator unless a certified arbitrator is not
845 available within 50 miles of the dispute. The department shall
846 adopt rules of procedure to govern such arbitration hearings
847 including mediation incident thereto. The decision of an
848 arbitrator shall be final; however, a decision shall not be
849 deemed final agency action. Nothing in this provision shall be
850 construed to foreclose parties from proceeding in a trial de
851 novo unless the parties have agreed that the arbitration is



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852 binding. If judicial proceedings are initiated, the final
853 decision of the arbitrator shall be admissible in evidence in
854 the trial de novo.

855 (a) Prior to the institution of court litigation, a party
856 to a dispute shall either petition the division for nonbinding
857 arbitration or initiate presuit mediation as provided in
858 subsection (5). Arbitration shall be binding on the parties if
859 all parties in arbitration agree to be bound in a writing filed
860 in arbitration. The petition must be accompanied by a filing fee
861 in the amount of \$50. Filing fees collected under this section
862 must be used to defray the expenses of the alternative dispute
863 resolution program.

864 (b) The petition must recite, and have attached thereto,
865 supporting proof that the petitioner gave the respondents:

866 1. Advance written notice of the specific nature of the
867 dispute;

868 2. A demand for relief, and a reasonable opportunity to
869 comply or to provide the relief; and

870 3. Notice of the intention to file an arbitration petition
871 or other legal action in the absence of a resolution of the
872 dispute.

873
874 Failure to include the allegations or proof of compliance with
875 these prerequisites requires dismissal of the petition without
876 prejudice.

877 (c) Upon receipt, the petition shall be promptly reviewed
878 by the division to determine the existence of a dispute and
879 compliance with the requirements of paragraphs (a) and (b). If
880 emergency relief is required and is not available through



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881 arbitration, a motion to stay the arbitration may be filed. The
882 motion must be accompanied by a verified petition alleging facts
883 that, if proven, would support entry of a temporary injunction,
884 and if an appropriate motion and supporting papers are filed,
885 the division may abate the arbitration pending a court hearing
886 and disposition of a motion for temporary injunction.

887 (d) Upon determination by the division that a dispute
888 exists and that the petition substantially meets the
889 requirements of paragraphs (a) and (b) and any other applicable
890 rules, the division shall assign or enter into a contract with
891 an arbitrator and serve a copy of the petition upon all
892 respondents. The arbitrator shall conduct a hearing within 30
893 days after being assigned or entering into a contract unless the
894 petition is withdrawn or a continuance is granted for good cause
895 shown.

896 (e) Before or after the filing of the respondents' answer
897 to the petition, any party may request that the arbitrator refer
898 the case to mediation under this section and any rules adopted
899 by the division. Upon receipt of a request for mediation, the
900 division shall promptly contact the parties to determine if
901 there is agreement that mediation would be appropriate. If all
902 parties agree, the dispute must be referred to mediation.
903 Notwithstanding a lack of an agreement by all parties, the
904 arbitrator may refer a dispute to mediation at any time.

905 (f) Upon referral of a case to mediation, the parties must
906 select a mutually acceptable mediator. To assist in the
907 selection, the arbitrator shall provide the parties with a list
908 of both volunteer and paid mediators that have been certified by
909 the division under s. 718.501. If the parties are unable to



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910 agree on a mediator within the time allowed by the arbitrator,
911 the arbitrator shall appoint a mediator from the list of
912 certified mediators. If a case is referred to mediation, the
913 parties shall attend a mediation conference, as scheduled by the
914 parties and the mediator. If any party fails to attend a duly
915 noticed mediation conference, without the permission or approval
916 of the arbitrator or mediator, the arbitrator must impose
917 sanctions against the party, including the striking of any
918 pleadings filed, the entry of an order of dismissal or default
919 if appropriate, and the award of costs and attorney fees
920 incurred by the other parties. Unless otherwise agreed to by the
921 parties or as provided by order of the arbitrator, a party is
922 deemed to have appeared at a mediation conference by the
923 physical presence of the party or its representative having full
924 authority to settle without further consultation, provided that
925 an association may comply by having one or more representatives
926 present with full authority to negotiate a settlement and
927 recommend that the board of administration ratify and approve
928 such a settlement within 5 days from the date of the mediation
929 conference. The parties shall share equally the expense of
930 mediation, unless they agree otherwise.

931 (g) The purpose of mediation as provided for by this
932 section is to present the parties with an opportunity to resolve
933 the underlying dispute in good faith, and with a minimum
934 expenditure of time and resources.

935 (h) Mediation proceedings must generally be conducted in
936 accordance with the Florida Rules of Civil Procedure, and these
937 proceedings are privileged and confidential to the same extent
938 as court-ordered mediation. Persons who are not parties to the



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939 dispute are not allowed to attend the mediation conference
940 without the consent of all parties, with the exception of
941 counsel for the parties and corporate representatives designated
942 to appear for a party. If the mediator declares an impasse after
943 a mediation conference has been held, the arbitration proceeding
944 terminates, unless all parties agree in writing to continue the
945 arbitration proceeding, in which case the arbitrator's decision
946 shall be binding or nonbinding, as agreed upon by the parties;
947 in the arbitration proceeding, the arbitrator shall not consider
948 any evidence relating to the unsuccessful mediation except in a
949 proceeding to impose sanctions for failure to appear at the
950 mediation conference. If the parties do not agree to continue
951 arbitration, the arbitrator shall enter an order of dismissal,
952 and either party may institute a suit in a court of competent
953 jurisdiction. The parties may seek to recover any costs and
954 attorney fees incurred in connection with arbitration and
955 mediation proceedings under this section as part of the costs
956 and fees that may be recovered by the prevailing party in any
957 subsequent litigation.

958 (i) Arbitration shall be conducted according to rules
959 adopted by the division. The filing of a petition for
960 arbitration shall toll the applicable statute of limitations.

961 (j) At the request of any party to the arbitration, the
962 arbitrator shall issue subpoenas for the attendance of witnesses
963 and the production of books, records, documents, and other
964 evidence and any party on whose behalf a subpoena is issued may
965 apply to the court for orders compelling such attendance and
966 production. Subpoenas shall be served and shall be enforceable
967 in the manner provided by the Florida Rules of Civil Procedure.



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968 Discovery may, in the discretion of the arbitrator, be permitted
969 in the manner provided by the Florida Rules of Civil Procedure.
970 Rules adopted by the division may authorize any reasonable
971 sanctions except contempt for a violation of the arbitration
972 procedural rules of the division or for the failure of a party
973 to comply with a reasonable nonfinal order issued by an
974 arbitrator which is not under judicial review.

975 (k) The arbitration decision shall be rendered within 30
976 days after the hearing and presented to the parties in writing.
977 An arbitration decision is final in those disputes in which the
978 parties have agreed to be bound. An arbitration decision is also
979 final if a complaint for a trial de novo is not filed in a court
980 of competent jurisdiction in which the condominium is located
981 within 30 days. The right to file for a trial de novo entitles
982 the parties to file a complaint in the appropriate trial court
983 for a judicial resolution of the dispute. The prevailing party
984 in an arbitration proceeding shall be awarded the costs of the
985 arbitration and reasonable attorney fees in an amount determined
986 by the arbitrator. Such an award shall include the costs and
987 reasonable attorney fees incurred in the arbitration proceeding
988 as well as the costs and reasonable attorney fees incurred in
989 preparing for and attending any scheduled mediation. An
990 arbitrator's failure to render a written decision within 30 days
991 after the hearing may result in the cancellation of his or her
992 arbitration certification.

993 (l) The party who files a complaint for a trial de novo
994 shall be assessed the other party's arbitration costs, court
995 costs, and other reasonable costs, including attorney fees,
996 investigation expenses, and expenses for expert or other



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997 testimony or evidence incurred after the arbitration hearing if
998 the judgment upon the trial de novo is not more favorable than
999 the arbitration decision. If the judgment is more favorable, the
1000 party who filed a complaint for trial de novo shall be awarded
1001 reasonable court costs and attorney fees.

1002 (m) Any party to an arbitration proceeding may enforce an
1003 arbitration award by filing a petition in a court of competent
1004 jurisdiction in which the condominium is located. A petition may
1005 not be granted unless the time for appeal by the filing of a
1006 complaint for trial de novo has expired. If a complaint for a
1007 trial de novo has been filed, a petition may not be granted with
1008 respect to an arbitration award that has been stayed. If the
1009 petition for enforcement is granted, the petitioner shall
1010 recover reasonable attorney fees and costs incurred in enforcing
1011 the arbitration award. A mediation settlement may also be
1012 enforced through the county or circuit court, as applicable, and
1013 any costs and fees incurred in the enforcement of a settlement
1014 agreement reached at mediation must be awarded to the prevailing
1015 party in any enforcement action.

1016 (5) PRESUIT MEDIATION.—In lieu of the initiation of
1017 mandatory nonbinding arbitration set forth in subsections (1)-
1018 (4), a party may submit a dispute to presuit mediation in
1019 accordance with s. 720.311. Election and recall disputes are not
1020 eligible for mediation; such disputes must be arbitrated by the
1021 division or filed with a court of competent jurisdiction.

1022 (6) DISPUTES INVOLVING ELECTION IRREGULARITIES.—Every
1023 arbitration petition received by the division and required to be
1024 filed under this section challenging the legality of the
1025 election of any director of the board of administration must be



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1026 handled on an expedited basis in the manner provided by the
1027 division's rules for recall arbitration disputes.

1028 (7)~~(6)~~ APPLICABILITY.—This section does not apply to a
1029 nonresidential condominium unless otherwise specifically
1030 provided for in the declaration of the nonresidential
1031 condominium.

1032 Section 8. Subsection (1) and paragraph (b) of subsection
1033 (3) of section 718.303, Florida Statutes, are amended to read:

1034 718.303 Obligations of owners and occupants; remedies.—

1035 (1) Each unit owner, ~~each~~ tenant and other invitee, and
1036 ~~each~~ association is governed by, and must comply with the
1037 provisions of, this chapter, the declaration, the documents
1038 creating the association, and the association bylaws which are
1039 ~~shall be deemed~~ expressly incorporated into any lease of a unit.
1040 Actions at law or in equity ~~for damages or for injunctive~~
1041 ~~relief~~, or both, for failure to comply with these provisions may
1042 be brought by the association or by a unit owner against:

1043 (a) The association.

1044 (b) A unit owner.

1045 (c) Directors designated by the developer, for actions
1046 taken by them before control of the association is assumed by
1047 unit owners other than the developer.

1048 (d) Any director who willfully and knowingly fails to
1049 comply with these provisions.

1050 (e) Any tenant leasing a unit, and any other invitee
1051 occupying a unit.

1052

1053 The prevailing party in any such action or in any action in
1054 which the purchaser claims a right of voidability based upon



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1055 contractual provisions as required in s. 718.503(1)(a) is
1056 entitled to recover reasonable attorney ~~attorney's~~ fees. A unit
1057 owner prevailing in an action between the association and the
1058 unit owner under this subsection ~~section~~, in addition to
1059 recovering his or her reasonable attorney ~~attorney's~~ fees, may
1060 recover additional amounts as determined by the court to be
1061 necessary to reimburse the unit owner for his or her share of
1062 assessments levied by the association to fund its expenses of
1063 the litigation. This relief does not exclude other remedies
1064 provided by law. Actions arising under this subsection are not
1065 considered ~~may not be deemed to be~~ actions for specific
1066 performance.

1067 (3) The association may levy reasonable fines for the
1068 failure of the owner of the unit or its occupant, licensee, or
1069 invitee to comply with any provision of the declaration, the
1070 association bylaws, or reasonable rules of the association. A
1071 fine may not become a lien against a unit. A fine may be levied
1072 by the board on the basis of each day of a continuing violation,
1073 with a single notice and opportunity for hearing before a
1074 committee as provided in paragraph (b). However, the fine may
1075 not exceed \$100 per violation, or \$1,000 in the aggregate.

1076 (b) A fine or suspension levied by the board of
1077 administration may not be imposed unless the board first
1078 provides at least 14 days' written notice to the unit owner and,
1079 if applicable, any tenant ~~occupant~~, licensee, or invitee of the
1080 unit owner sought to be fined or suspended, and an opportunity
1081 for a hearing before a committee of at least three members
1082 appointed by the board who are not officers, directors, or
1083 employees of the association, or the spouse, parent, child,



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1084 brother, or sister of an officer, director, or employee. The
1085 role of the committee is limited to determining whether to
1086 confirm or reject the fine or suspension levied by the board. If
1087 the committee does not approve the proposed fine or suspension
1088 by majority vote, the fine or suspension may not be imposed. If
1089 the proposed fine or suspension is approved by the committee,
1090 the fine payment is due 5 days after notice of the approved fine
1091 is provided to the unit owner and, if applicable, to any tenant,
1092 licensee, or invitee of the unit owner ~~the date of the committee~~
1093 ~~meeting at which the fine is approved.~~ The association must
1094 provide written notice of such fine or suspension by mail or
1095 hand delivery to the unit owner and, if applicable, to any
1096 tenant, licensee, or invitee of the unit owner.

1097 Section 9. Section 718.5014, Florida Statutes, is amended
1098 to read:

1099 718.5014 Ombudsman location.—The ombudsman shall maintain
1100 his or her principal office in a Leon County ~~on the premises of~~
1101 ~~the division or, if suitable space cannot be provided there, at~~
1102 ~~another~~ place convenient to the offices of the division which
1103 will enable the ombudsman to expeditiously carry out the duties
1104 and functions of his or her office. The ombudsman may establish
1105 branch offices elsewhere in the state upon the concurrence of
1106 the Governor.

1107 Section 10. Subsection (25) of section 719.103, Florida
1108 Statutes, is amended to read:

1109 719.103 Definitions.—As used in this chapter:

1110 (25) "Unit" means a part of the cooperative property which
1111 is subject to exclusive use and possession. A unit may be
1112 improvements, land, or land and improvements together, as



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1113 specified in the cooperative documents. An interest in a unit is
1114 an interest in real property.

1115 Section 11. Paragraph (c) of subsection (2) of section
1116 719.104, Florida Statutes, is amended to read:

1117 719.104 Cooperatives; access to units; records; financial
1118 reports; assessments; purchase of leases.-

1119 (2) OFFICIAL RECORDS.-

1120 (c) The official records of the association are open to
1121 inspection by any association member or the authorized
1122 representative of such member at all reasonable times. The right
1123 to inspect the records includes the right to make or obtain
1124 copies, at the reasonable expense, if any, of the association
1125 member. The association may adopt reasonable rules regarding the
1126 frequency, time, location, notice, and manner of record
1127 inspections and copying, but may not require a member to
1128 demonstrate any purpose or state any reason for the inspection.

1129 The failure of an association to provide the records within 10
1130 working days after receipt of a written request creates a
1131 rebuttable presumption that the association willfully failed to
1132 comply with this paragraph. A member ~~unit-owner~~ who is denied
1133 access to official records is entitled to the actual damages or
1134 minimum damages for the association's willful failure to comply.
1135 The minimum damages are \$50 per calendar day for up to 10 days,
1136 beginning on the 11th working day after receipt of the written
1137 request. The failure to permit inspection entitles any person
1138 prevailing in an enforcement action to recover reasonable
1139 attorney fees from the person in control of the records who,
1140 directly or indirectly, knowingly denied access to the records.
1141 Any person who knowingly or intentionally defaces or destroys



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1142 accounting records that are required by this chapter to be
1143 maintained during the period for which such records are required
1144 to be maintained, or who knowingly or intentionally fails to
1145 create or maintain accounting records that are required to be
1146 created or maintained, with the intent of causing harm to the
1147 association or one or more of its members, is personally subject
1148 to a civil penalty under ~~pursuant to~~ s. 719.501(1)(d). The
1149 association shall maintain an adequate number of copies of the
1150 declaration, articles of incorporation, bylaws, and rules, and
1151 all amendments to each of the foregoing, as well as the question
1152 and answer sheet as described in s. 719.504 and year-end
1153 financial information required by the department, on the
1154 cooperative property to ensure their availability to members
1155 ~~unit owners~~ and prospective purchasers, and may charge its
1156 actual costs for preparing and furnishing these documents to
1157 those requesting the same. An association shall allow a member
1158 or his or her authorized representative to use a portable
1159 device, including a smartphone, tablet, portable scanner, or any
1160 other technology capable of scanning or taking photographs, to
1161 make an electronic copy of the official records in lieu of the
1162 association providing the member or his or her authorized
1163 representative with a copy of such records. The association may
1164 not charge a member or his or her authorized representative for
1165 the use of a portable device. Notwithstanding this paragraph,
1166 the following records shall not be accessible to members ~~unit~~
1167 ~~owners~~:

1168 1. Any record protected by the lawyer-client privilege as
1169 described in s. 90.502 and any record protected by the work-
1170 product privilege, including any record prepared by an



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1171 association attorney or prepared at the attorney's express
1172 direction which reflects a mental impression, conclusion,
1173 litigation strategy, or legal theory of the attorney or the
1174 association, and which was prepared exclusively for civil or
1175 criminal litigation or for adversarial administrative
1176 proceedings, or which was prepared in anticipation of such
1177 litigation or proceedings until the conclusion of the litigation
1178 or proceedings.

1179 2. Information obtained by an association in connection
1180 with the approval of the lease, sale, or other transfer of a
1181 unit.

1182 3. Personnel records of association or management company
1183 employees, including, but not limited to, disciplinary, payroll,
1184 health, and insurance records. For purposes of this
1185 subparagraph, the term "personnel records" does not include
1186 written employment agreements with an association employee or
1187 management company, or budgetary or financial records that
1188 indicate the compensation paid to an association employee.

1189 4. Medical records of unit owners.

1190 5. Social security numbers, driver license numbers, credit
1191 card numbers, e-mail addresses, telephone numbers, facsimile
1192 numbers, emergency contact information, addresses of a unit
1193 owner other than as provided to fulfill the association's notice
1194 requirements, and other personal identifying information of any
1195 person, excluding the person's name, unit designation, mailing
1196 address, property address, and any address, e-mail address, or
1197 facsimile number provided to the association to fulfill the
1198 association's notice requirements. Notwithstanding the
1199 restrictions in this subparagraph, an association may print and



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1200 distribute to unit ~~parcel~~ owners a directory containing the
1201 name, unit ~~parcel~~ address, and all telephone numbers of each
1202 unit ~~parcel~~ owner. However, an owner may exclude his or her
1203 telephone numbers from the directory by so requesting in writing
1204 to the association. An owner may consent in writing to the
1205 disclosure of other contact information described in this
1206 subparagraph. The association is not liable for the inadvertent
1207 disclosure of information that is protected under this
1208 subparagraph if the information is included in an official
1209 record of the association and is voluntarily provided by an
1210 owner and not requested by the association.

1211 6. Electronic security measures that are used by the
1212 association to safeguard data, including passwords.

1213 7. The software and operating system used by the
1214 association which allow the manipulation of data, even if the
1215 owner owns a copy of the same software used by the association.
1216 The data is part of the official records of the association.

1217 Section 12. Paragraph (b) of subsection (1) of section
1218 719.106, Florida Statutes, is amended, and subsection (3) is
1219 added to that section, to read:

1220 719.106 Bylaws; cooperative ownership.—

1221 (1) MANDATORY PROVISIONS.—The bylaws or other cooperative
1222 documents shall provide for the following, and if they do not,
1223 they shall be deemed to include the following:

1224 (b) *Quorum; voting requirements; proxies.*—

1225 1. Unless otherwise provided in the bylaws, the percentage
1226 of voting interests required to constitute a quorum at a meeting
1227 of the members shall be a majority of voting interests, and
1228 decisions shall be made by owners of a majority of the voting



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1229 interests. Unless otherwise provided in this chapter, or in the
1230 articles of incorporation, bylaws, or other cooperative
1231 documents, and except as provided in subparagraph (d)1.,
1232 decisions shall be made by owners of a majority of the voting
1233 interests represented at a meeting at which a quorum is present.

1234 2. Except as specifically otherwise provided herein, after
1235 January 1, 1992, unit owners may not vote by general proxy, but
1236 may vote by limited proxies substantially conforming to a
1237 limited proxy form adopted by the division. Limited proxies and
1238 general proxies may be used to establish a quorum. Limited
1239 proxies shall be used for votes taken to waive or reduce
1240 reserves in accordance with subparagraph (j)2., for votes taken
1241 to waive the financial reporting requirements of s.
1242 719.104(4)(b), for votes taken to amend the articles of
1243 incorporation or bylaws pursuant to this section, and for any
1244 other matter for which this chapter requires or permits a vote
1245 of the unit owners. Except as provided in paragraph (d), after
1246 January 1, 1992, no proxy, limited or general, shall be used in
1247 the election of board members. General proxies may be used for
1248 other matters for which limited proxies are not required, and
1249 may also be used in voting for nonsubstantive changes to items
1250 for which a limited proxy is required and given. Notwithstanding
1251 the provisions of this section, unit owners may vote in person
1252 at unit owner meetings. Nothing contained herein shall limit the
1253 use of general proxies or require the use of limited proxies or
1254 require the use of limited proxies for any agenda item or
1255 election at any meeting of a timeshare cooperative.

1256 3. Any proxy given shall be effective only for the specific
1257 meeting for which originally given and any lawfully adjourned



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1258 meetings thereof. In no event shall any proxy be valid for a
1259 period longer than 90 days after the date of the first meeting
1260 for which it was given. Every proxy shall be revocable at any
1261 time at the pleasure of the unit owner executing it.

1262 4. A member of the board of administration or a committee
1263 may submit in writing his or her agreement or disagreement with
1264 any action taken at a meeting that the member did not attend.
1265 This agreement or disagreement may not be used as a vote for or
1266 against the action taken and may not be used for the purposes of
1267 creating a quorum.

1268 5. A board or committee member participating in a meeting
1269 via telephone, real-time video conferencing, or similar real-
1270 time electronic or video communication counts toward a quorum,
1271 and such member may vote as if physically present ~~When some or~~
1272 ~~all of the board or committee members meet by telephone~~
1273 ~~conference, those board or committee members attending by~~
1274 ~~telephone conference may be counted toward obtaining a quorum~~
1275 ~~and may vote by telephone.~~ A telephone speaker must ~~shall~~ be
1276 used ~~utilized~~ so that the conversation of such ~~those board or~~
1277 ~~committee members attending by telephone~~ may be heard by the
1278 board or committee members attending in person, as well as by
1279 any unit owners present at a meeting.

1280 (3) GENERALLY.—The association may extinguish a
1281 discriminatory restriction, as defined in s. 712.065(1),
1282 pursuant to s. 712.065.

1283 Section 13. Paragraph (1) of subsection (4) of section
1284 720.303, Florida Statutes, is redesignated as paragraph (m), a
1285 new paragraph (1) is added to that subsection, and paragraph (c)
1286 of subsection (2) and present paragraph (1) of subsection (4) of



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1287 that section are amended, to read:

1288 720.303 Association powers and duties; meetings of board;
1289 official records; budgets; financial reporting; association
1290 funds; recalls.—

1291 (2) BOARD MEETINGS.—

1292 (c) The bylaws shall provide the following for giving
1293 notice to parcel owners and members of all board meetings and,
1294 if they do not do so, shall be deemed to include the following:

1295 1. Notices of all board meetings must be posted in a
1296 conspicuous place in the community at least 48 hours in advance
1297 of a meeting, except in an emergency. In the alternative, if
1298 notice is not posted in a conspicuous place in the community,
1299 notice of each board meeting must be mailed or delivered to each
1300 member at least 7 days before the meeting, except in an
1301 emergency. Notwithstanding this general notice requirement, for
1302 communities with more than 100 members, the association bylaws
1303 may provide for a reasonable alternative to posting or mailing
1304 of notice for each board meeting, including publication of
1305 notice, provision of a schedule of board meetings, or the
1306 conspicuous posting and repeated broadcasting of the notice on a
1307 closed-circuit cable television system serving the homeowners'
1308 association. However, if broadcast notice is used in lieu of a
1309 notice posted physically in the community, the notice must be
1310 broadcast at least four times every broadcast hour of each day
1311 that a posted notice is otherwise required. When broadcast
1312 notice is provided, the notice and agenda must be broadcast in a
1313 manner and for a sufficient continuous length of time so as to
1314 allow an average reader to observe the notice and read and
1315 comprehend the entire content of the notice and the agenda. In



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1316 addition to any of the authorized means of providing notice of a
1317 meeting of the board, the association may adopt, by rule, a
1318 procedure for conspicuously posting the meeting notice and the
1319 agenda on the association's website for at least the minimum
1320 period of time for which a notice of a meeting is also required
1321 to be physically posted on the association property. Any such
1322 rule must require the association to send to members whose e-
1323 mail addresses are included in the association's official
1324 records an electronic notice in the same manner as is required
1325 for a notice of a meeting of the members. Such notice must
1326 include a hyperlink to the website where the notice is posted.

1327 The association may provide notice by electronic transmission in
1328 a manner authorized by law for meetings of the board of
1329 directors, committee meetings requiring notice under this
1330 section, and annual and special meetings of the members to any
1331 member who has provided a facsimile number or e-mail address to
1332 the association to be used for such purposes; however, a member
1333 must consent in writing to receiving notice by electronic
1334 transmission.

1335 2. An assessment may not be levied at a board meeting
1336 unless the notice of the meeting includes a statement that
1337 assessments will be considered and the nature of the
1338 assessments. Written notice of any meeting at which special
1339 assessments will be considered or at which amendments to rules
1340 regarding parcel use will be considered must be mailed,
1341 delivered, or electronically transmitted to the members and
1342 parcel owners and posted conspicuously on the property or
1343 broadcast on closed-circuit cable television not less than 14
1344 days before the meeting.



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1345 3. Directors may not vote by proxy or by secret ballot at
1346 board meetings, except that secret ballots may be used in the
1347 election of officers. This subsection also applies to the
1348 meetings of any committee or other similar body, when a final
1349 decision will be made regarding the expenditure of association
1350 funds, and to any body vested with the power to approve or
1351 disapprove architectural decisions with respect to a specific
1352 parcel of residential property owned by a member of the
1353 community.

1354 (4) OFFICIAL RECORDS.—The association shall maintain each
1355 of the following items, when applicable, which constitute the
1356 official records of the association:

1357 (1) Ballots, sign-in sheets, voting proxies, and all other
1358 papers and electronic records relating to voting by parcel
1359 owners, which must be maintained for at least 1 year after the
1360 date of the election, vote, or meeting.

1361 (m) ~~(1)~~ All other ~~written~~ records of the association not
1362 specifically included in this subsection ~~the foregoing~~ which are
1363 related to the operation of the association.

1364 Section 14. Subsections (1) and (2) of section 720.305,
1365 Florida Statutes, are amended to read:

1366 720.305 Obligations of members; remedies at law or in
1367 equity; levy of fines and suspension of use rights.—

1368 (1) Each member and the member's tenants, guests, and
1369 invitees, and each association, are governed by, and must comply
1370 with, this chapter and, ~~the governing documents of the~~
1371 ~~community, and the rules of the association.~~ Actions at law or
1372 in equity, or both, to redress alleged failure or refusal to
1373 comply with these provisions may be brought by the association



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1374 or by any member against:

1375 (a) The association;

1376 (b) A member;

1377 (c) Any director or officer of an association who willfully
1378 and knowingly fails to comply with these provisions; and

1379 (d) Any tenants, guests, or invitees occupying a parcel or
1380 using the common areas.

1381

1382 The prevailing party in any such litigation is entitled to
1383 recover reasonable attorney fees and costs. A member prevailing
1384 in an action between the association and the member under this
1385 section, in addition to recovering his or her reasonable
1386 attorney fees, may recover additional amounts as determined by
1387 the court to be necessary to reimburse the member for his or her
1388 share of assessments levied by the association to fund its
1389 expenses of the litigation. This relief does not exclude other
1390 remedies provided by law. This section does not deprive any
1391 person of any other available right or remedy.

1392 (2) An ~~The~~ association may levy reasonable fines. A fine
1393 may not exceed \$100 per violation against any member or any
1394 member's tenant, guest, or invitee for the failure of the owner
1395 of the parcel or its occupant, licensee, or invitee to comply
1396 with any provision of the declaration, the association bylaws,
1397 or reasonable rules of the association unless otherwise provided
1398 in the governing documents. A fine may be levied by the board
1399 for each day of a continuing violation, with a single notice and
1400 opportunity for hearing, except that the fine may not exceed
1401 \$1,000 in the aggregate unless otherwise provided in the
1402 governing documents. A fine of less than \$1,000 may not become a



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1403 lien against a parcel. In any action to recover a fine, the
1404 prevailing party is entitled to reasonable attorney fees and
1405 costs from the nonprevailing party as determined by the court.

1406 (a) An association may suspend, for a reasonable period of
1407 time, the right of a member, or a member's tenant, guest, or
1408 invitee, to use common areas and facilities for the failure of
1409 the owner of the parcel or its occupant, licensee, or invitee to
1410 comply with any provision of the declaration, the association
1411 bylaws, or reasonable rules of the association. This paragraph
1412 does not apply to that portion of common areas used to provide
1413 access or utility services to the parcel. A suspension may not
1414 prohibit an owner or tenant of a parcel from having vehicular
1415 and pedestrian ingress to and egress from the parcel, including,
1416 but not limited to, the right to park.

1417 (b) A fine or suspension levied by the board of
1418 administration may not be imposed unless the board first
1419 provides at least 14 days' notice to the parcel owner and, if
1420 applicable, any occupant, licensee, or invitee of the parcel
1421 owner, sought to be fined or suspended and an opportunity for a
1422 hearing before a committee of at least three members appointed
1423 by the board who are not officers, directors, or employees of
1424 the association, or the spouse, parent, child, brother, or
1425 sister of an officer, director, or employee. If the committee,
1426 by majority vote, does not approve a proposed fine or
1427 suspension, the proposed fine or suspension may not be imposed.
1428 The role of the committee is limited to determining whether to
1429 confirm or reject the fine or suspension levied by the board. If
1430 the proposed fine or suspension levied by the board is approved
1431 by the committee, the fine payment is due 5 days after notice of



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1432 the approved fine is provided to the parcel owner and, if
1433 applicable, to any occupant, licensee, or invitee of the parcel
1434 owner the date of the committee meeting at which the fine is
1435 approved. The association must provide written notice of such
1436 fine or suspension by mail or hand delivery to the parcel owner
1437 and, if applicable, to any occupant ~~tenant~~, licensee, or invitee
1438 of the parcel owner.

1439 Section 15. Paragraph (g) of subsection (1) of section
1440 720.306, Florida Statutes, is amended to read:

1441 720.306 Meetings of members; voting and election
1442 procedures; amendments.-

1443 (1) QUORUM; AMENDMENTS.-

1444 (g) A notice required under this section must be mailed or
1445 delivered to the address identified as the parcel owner's
1446 mailing address in the official records of the association as
1447 required under s. 720.303(4) ~~on the property appraiser's website~~
1448 ~~for the county in which the parcel is located~~, or electronically
1449 transmitted in a manner authorized by the association if the
1450 parcel owner has consented, in writing, to receive notice by
1451 electronic transmission.

1452 Section 16. Subsection (6) is added to section 720.3075,
1453 Florida Statutes, to read:

1454 720.3075 Prohibited clauses in association documents.-

1455 (6) The association may extinguish a discriminatory
1456 restriction, as defined in s. 712.065(1), pursuant to s.
1457 712.065.

1458 Section 17. This act shall take effect July 1, 2020.

1459
1460 ===== T I T L E A M E N D M E N T =====



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1461 And the title is amended as follows:

1462 Delete everything before the enacting clause
1463 and insert:

1464 A bill to be entitled
1465 An act relating to community associations; amending s.
1466 514.0115, F.S.; exempting certain property association
1467 pools from Department of Health regulations; amending
1468 s. 627.714, F.S.; prohibiting subrogation rights
1469 against a condominium association under certain
1470 circumstances; creating s. 712.065, F.S.; defining the
1471 term "discriminatory restriction"; providing that
1472 discriminatory restrictions are unlawful,
1473 unenforceable, and declared null and void; providing
1474 that certain discriminatory restrictions are
1475 extinguished and severed from recorded title
1476 transactions; specifying that the recording of certain
1477 notices does not reimpose or preserve a discriminatory
1478 restriction; providing requirements for a parcel owner
1479 to remove a discriminatory restriction from a covenant
1480 or restriction; amending s. 718.111, F.S.; requiring
1481 that certain records be maintained for a specified
1482 time; prohibiting an association from requiring
1483 certain actions relating to the inspection of records;
1484 revising requirements relating to the posting of
1485 digital copies of certain documents by certain
1486 condominium associations; amending s. 718.112, F.S.;
1487 authorizing condominium associations to extinguish
1488 discriminatory restrictions; specifying that only
1489 board service that occurs on or after a specified date



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1490 may be used for calculating a board member's term
1491 limit; providing requirements for certain notices;
1492 prohibiting an association from charging certain fees;
1493 providing an exception; conforming provisions to
1494 changes made by the act; deleting a prohibition
1495 against employing or contracting with certain service
1496 providers; amending s. 718.113, F.S.; defining the
1497 terms "natural gas fuel" and "natural gas fuel
1498 vehicle"; revising legislative findings; revising
1499 requirements for electric vehicle charging stations;
1500 providing requirements for the installation of natural
1501 gas fuel stations on property governed by condominium
1502 associations; amending s. 718.1255, F.S.; authorizing
1503 parties to initiate presuit mediation under certain
1504 circumstances; specifying when arbitration is binding
1505 on the parties; providing requirements for presuit
1506 mediation; amending s. 718.303, F.S.; revising
1507 requirements for certain actions for failure to comply
1508 with specified provisions; revising requirements for
1509 certain fines; amending s. 718.5014, F.S.; revising
1510 where the principal office of the Office of the
1511 Condominium Ombudsman must be maintained; amending s.
1512 719.103, F.S.; revising the definition of the term
1513 "unit" to specify that an interest in a cooperative
1514 unit is an interest in real property; amending s.
1515 719.104, F.S.; prohibiting an association from
1516 requiring certain actions relating to the inspection
1517 of records; making technical changes; amending s.
1518 719.106, F.S.; revising provisions relating to a



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1519 quorum and voting rights for members remotely
1520 participating in meetings; authorizing cooperative
1521 associations to extinguish discriminatory
1522 restrictions; amending s. 720.303, F.S.; authorizing
1523 an association to adopt procedures for electronic
1524 meeting notices; revising the documents that
1525 constitute the official records of an association;
1526 amending s. 720.305, F.S.; providing requirements for
1527 certain fines; amending s. 720.306, F.S.; revising
1528 requirements for providing certain notices; amending
1529 s. 720.3075, F.S.; authorizing homeowners'
1530 associations to extinguish discriminatory
1531 restrictions; providing an effective date.