

1                                   A bill to be entitled  
2           An act relating to community associations; amending s.  
3           194.011, F.S.; providing that certain associations may  
4           represent, prosecute, or defend owners in certain  
5           proceedings; providing applicability; requiring  
6           specified notice be provided to unit or parcel owners  
7           in a specified way; amending s. 194.181, F.S.;  
8           providing and revising the parties considered as the  
9           defendant in a tax suit; requiring certain notice to  
10          be provided to unit owners in a specified way;  
11          providing unit owners options for defending a tax  
12          suit; imposing certain actions for unit owners who  
13          fail to respond to a specified notice; amending s.  
14          514.0115, F.S.; providing that certain property  
15          association pools are exempt from Department of Health  
16          regulations; amending s. 718.111, F.S.; providing that  
17          a condominium association may take certain actions  
18          relating to a challenge to ad valorem taxes in its own  
19          name or on behalf of unit owners; providing  
20          applicability; requiring an association to provide a  
21          checklist to certain persons requesting records;  
22          requiring that the checklist be signed by a specified  
23          person or the association to provide an affidavit  
24          attesting to the veracity of the checklist; providing  
25          a timeframe for maintaining such checklist and

26 affidavit; creating a rebuttable presumption; amending  
27 s. 718.501, F.S.; defining the term "financial issue";  
28 authorizing the Division of Condominiums, Timeshares,  
29 and Mobile Homes to adopt rules; amending s. 720.306,  
30 F.S.; providing that certain amendments to governing  
31 documents apply only to certain parcel owners;  
32 providing exceptions; specifying that a change of  
33 ownership does not occur under certain circumstances;  
34 defining the term "affiliated entity"; requiring an  
35 affiliated entity to provide specified documents to an  
36 association in order for a conveyance to be  
37 recognized; providing an effective date.

38  
39 Be It Enacted by the Legislature of the State of Florida:

40  
41 Section 1. Paragraph (e) of subsection (3) of section  
42 194.011, Florida Statutes, is amended to read:

43 194.011 Assessment notice; objections to assessments.—

44 (3) A petition to the value adjustment board must be in  
45 substantially the form prescribed by the department.

46 Notwithstanding s. 195.022, a county officer may not refuse to  
47 accept a form provided by the department for this purpose if the  
48 taxpayer chooses to use it. A petition to the value adjustment  
49 board must be signed by the taxpayer or be accompanied at the  
50 time of filing by the taxpayer's written authorization or power

51 of attorney, unless the person filing the petition is listed in  
52 s. 194.034(1)(a). A person listed in s. 194.034(1)(a) may file a  
53 petition with a value adjustment board without the taxpayer's  
54 signature or written authorization by certifying under penalty  
55 of perjury that he or she has authorization to file the petition  
56 on behalf of the taxpayer. If a taxpayer notifies the value  
57 adjustment board that a petition has been filed for the  
58 taxpayer's property without his or her consent, the value  
59 adjustment board may require the person filing the petition to  
60 provide written authorization from the taxpayer authorizing the  
61 person to proceed with the appeal before a hearing is held. If  
62 the value adjustment board finds that a person listed in s.  
63 194.034(1)(a) willfully and knowingly filed a petition that was  
64 not authorized by the taxpayer, the value adjustment board shall  
65 require such person to provide the taxpayer's written  
66 authorization for representation to the value adjustment board  
67 clerk before any petition filed by that person is heard, for 1  
68 year after imposition of such requirement by the value  
69 adjustment board. A power of attorney or written authorization  
70 is valid for 1 assessment year, and a new power of attorney or  
71 written authorization by the taxpayer is required for each  
72 subsequent assessment year. A petition shall also describe the  
73 property by parcel number and shall be filed as follows:

74 (e)1. A condominium association, as defined in s. 718.103,  
75 a cooperative association, as defined in s. 719.103, or any

76 homeowners' association, as defined in s. 723.075, with approval  
77 of its board of administration or directors, may file with the  
78 value adjustment board a single joint petition on behalf of any  
79 association members who own units or parcels of property which  
80 the property appraiser determines are substantially similar with  
81 respect to location, proximity to amenities, number of rooms,  
82 living area, and condition. The condominium association,  
83 cooperative association, or homeowners' association ~~as defined~~  
84 ~~in s. 723.075~~ shall provide the unit or parcel owners with  
85 notice of its intent to petition the value adjustment board by  
86 hand delivery or certified mail, return receipt requested,  
87 except that such notice may be electronically transmitted to a  
88 unit or parcel owner who has expressly consented in writing to  
89 receiving such notices by electronic transmission. If the  
90 association is a condominium or cooperative association, the  
91 notice must also be posted conspicuously on the condominium or  
92 cooperative property in the same manner as notice of board  
93 meetings under ss. 718.112(2) and 719.106(1). Such notice must  
94 ~~and shall~~ provide at least 20 days for a unit or parcel owner to  
95 elect, in writing, that his or her unit or parcel not be  
96 included in the petition.

97 2. A condominium association, as defined in s. 718.103, or  
98 a cooperative association, as defined in s. 719.103, that has  
99 filed a single joint petition under this subsection may continue  
100 to represent, prosecute, and defend the unit owners through any

101 related subsequent proceeding in any tribunal, including  
102 judicial review under part II of this chapter and any appeals.  
103 This subparagraph is intended to clarify existing law and  
104 applies to cases pending on July 1, 2020.

105 Section 2. Subsection (2) of section 194.181, Florida  
106 Statutes, is amended to read:

107 194.181 Parties to a tax suit.—

108 (2) (a) In any case brought by a ~~the~~ taxpayer or a  
109 condominium or cooperative association, as defined in ss.  
110 718.103 and 719.103 respectively, on behalf of some or all unit  
111 owners, contesting the assessment of any property, the county  
112 property appraiser is the ~~shall be~~ party defendant.

113 (b) In any case brought by the property appraiser under  
114 ~~pursuant to~~ s. 194.036(1) (a) or (b), the taxpayer is the ~~shall~~  
115 ~~be~~ party defendant.

116 (c)1. In any case brought by the property appraiser under  
117 s. 194.036(1) (a) or (b) concerning a value adjustment board  
118 decision on a single joint petition filed by a condominium or  
119 cooperative association under s. 194.011(3), the association and  
120 all unit owners included in the single joint petition are the  
121 party defendants.

122 2. The condominium or cooperative association must provide  
123 unit owners with notice of its intent to respond to or answer  
124 the property appraiser's complaint and advise the unit owners  
125 that they may elect to:

- 126        a. Retain their own counsel to defend the appeal;  
 127        b. Choose not to defend the appeal; or  
 128        c. Be represented together with other unit owners in the  
 129 response or answer filed by the association.

130        3. The notice required in subparagraph 2. must be hand  
 131 delivered or sent by certified mail, return receipt requested,  
 132 to the unit owners, except that such notice may be  
 133 electronically transmitted to a unit owner who has expressly  
 134 consented in writing to receiving such notices through  
 135 electronic transmission. Additionally, the notice must be posted  
 136 conspicuously on the condominium or cooperative property in the  
 137 same manner as notice of board meetings under ss. 718.112(2) and  
 138 719.106(1). Any unit owner who does not respond to the  
 139 association's notice will be represented in the response or  
 140 answer filed by the association.

141        (d) In any case brought by the property appraiser under  
 142 pursuant to s. 194.036(1)(c), the value adjustment board is the  
 143 shall be party defendant.

144        Section 3. Paragraph (a) of subsection (2) of section  
 145 514.0115, Florida Statutes, is amended to read:

146        514.0115 Exemptions from supervision or regulation;  
 147 variances.—

148        (2) (a) Pools serving condominium, cooperative, and  
 149 homeowners' associations, as well as other property  
 150 associations, which have no more than 32 condominium or

151 ~~cooperative~~ units or parcels and which are not operated as a  
152 public lodging establishments are ~~establishment~~ shall be exempt  
153 from supervision under this chapter, except for water quality.

154 Section 4. Paragraph (a) of subsection (1), subsection  
155 (3), and paragraphs (a), (b), (c), and (f) of subsection (12) of  
156 section 718.111, Florida Statutes, are amended to read:

157 718.111 The association.—

158 (1) CORPORATE ENTITY.—

159 (a) The operation of the condominium shall be by the  
160 association, which must be a Florida corporation for profit or a  
161 Florida corporation not for profit. However, any association  
162 which was in existence on January 1, 1977, need not be  
163 incorporated. The owners of units shall be shareholders or  
164 members of the association. The officers and directors of the  
165 association have a fiduciary relationship to the unit owners. It  
166 is the intent of the Legislature that nothing in this paragraph  
167 shall be construed as providing for or removing a requirement of  
168 a fiduciary relationship between any manager employed by the  
169 association and the unit owners. An officer, director, or  
170 manager may not solicit, offer to accept, or accept any thing or  
171 service of value or kickback for which consideration has not  
172 been provided for his or her own benefit or that of his or her  
173 immediate family, from any person providing or proposing to  
174 provide goods or services to the association. Any such officer,  
175 director, or manager who knowingly so solicits, offers to

176 accept, or accepts any thing or service of value or kickback is  
177 subject to a civil penalty under s. 718.501(2)(d) ~~pursuant to s.~~  
178 ~~718.501(1)(d)~~ and, if applicable, a criminal penalty as provided  
179 in paragraph (d). However, this paragraph does not prohibit an  
180 officer, director, or manager from accepting services or items  
181 received in connection with trade fairs or education programs.  
182 An association may operate more than one condominium.

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

185 (a) The association may contract, sue, or be sued with  
186 respect to the exercise or nonexercise of its powers. For these  
187 purposes, the powers of the association include, but are not  
188 limited to, the maintenance, management, and operation of the  
189 condominium property.

190 (b) After control of the association is obtained by unit  
191 owners other than the developer, the association may:

192 1. Institute, maintain, settle, or appeal actions or  
193 hearings in its name on behalf of all unit owners concerning  
194 matters of common interest to most or all unit owners,  
195 including, but not limited to, the common elements; the roof and  
196 structural components of a building or other improvements;  
197 mechanical, electrical, and plumbing elements serving an  
198 improvement or a building; representations of the developer  
199 pertaining to any existing or proposed commonly used facilities;

200 2. Protest and protesting ad valorem taxes on commonly



201 used facilities and on units; ~~and may~~

202 3. Defend actions pertaining to ad valorem taxation of  
203 commonly used facilities or units or related to ~~in~~ eminent  
204 domain; or

205 4. Bring inverse condemnation actions.

206 (c) If the association has the authority to maintain a  
207 class action, the association may be joined in an action as  
208 representative of that class with reference to litigation and  
209 disputes involving the matters for which the association could  
210 bring a class action.

211 (d) The association, in its own name or on behalf of some  
212 or all unit owners, may institute, file, protest, maintain, or  
213 defend any administrative challenge, lawsuit, appeal, or other  
214 challenge to ad valorem taxes assessed on units for commonly  
215 used facilities or common elements. The affected association  
216 members are not necessary or indispensable parties to such  
217 actions. This paragraph is intended to clarify existing law and  
218 applies to cases pending on July 1, 2020.

219 (e) Nothing herein limits any statutory or common-law  
220 right of any individual unit owner or class of unit owners to  
221 bring any action without participation by the association which  
222 may otherwise be available.

223 (f) An association may not hire an attorney who represents  
224 the management company of the association.

225 (12) OFFICIAL RECORDS.—

226 (a) From the inception of the association, the association  
 227 shall maintain each of the following items, if applicable, which  
 228 constitutes the official records of the association:

229 1. A copy of the plans, permits, warranties, and other  
 230 items provided by the developer under ~~pursuant to~~ s. 718.301(4).

231 2. A photocopy of the recorded declaration of condominium  
 232 of each condominium operated by the association and each  
 233 amendment to each declaration.

234 3. A photocopy of the recorded bylaws of the association  
 235 and each amendment to the bylaws.

236 4. A certified copy of the articles of incorporation of  
 237 the association, or other documents creating the association,  
 238 and each amendment thereto.

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

240 6. A book or books that contain the minutes of all  
 241 meetings of the association, the board of administration, and  
 242 the unit owners.

243 7. A current roster of all unit owners and their mailing  
 244 addresses, unit identifications, voting certifications, and, if  
 245 known, telephone numbers. The association shall also maintain  
 246 the e-mail addresses and facsimile numbers of unit owners  
 247 consenting to receive notice by electronic transmission. The e-  
 248 mail addresses and facsimile numbers are not accessible to unit  
 249 owners if consent to receive notice by electronic transmission  
 250 is not provided in accordance with sub-subparagraph (c)3.e.

251 However, the association is not liable for an inadvertent  
252 disclosure of the e-mail address or facsimile number for  
253 receiving electronic transmission of notices.

254 8. All current insurance policies of the association and  
255 condominiums operated by the association.

256 9. A current copy of any management agreement, lease, or  
257 other contract to which the association is a party or under  
258 which the association or the unit owners have an obligation or  
259 responsibility.

260 10. Bills of sale or transfer for all property owned by  
261 the association.

262 11. Accounting records for the association and separate  
263 accounting records for each condominium that the association  
264 operates. Any person who knowingly or intentionally defaces or  
265 destroys such records, or who knowingly or intentionally fails  
266 to create or maintain such records, with the intent of causing  
267 harm to the association or one or more of its members, is  
268 personally subject to a civil penalty under s. 718.501(2)(d)  
269 ~~pursuant to s. 718.501(1)(d)~~. The accounting records must  
270 include, but are not limited to:

271 a. Accurate, itemized, and detailed records of all  
272 receipts and expenditures.

273 b. A current account and a monthly, bimonthly, or  
274 quarterly statement of the account for each unit designating the  
275 name of the unit owner, the due date and amount of each

276 | assessment, the amount paid on the account, and the balance due.

277 |       c. All audits, reviews, accounting statements, and  
278 | financial reports of the association or condominium.

279 |       d. All contracts for work to be performed. Bids for work  
280 | to be performed are also considered official records and must be  
281 | maintained by the association.

282 |       12. Ballots, sign-in sheets, voting proxies, and all other  
283 | papers and electronic records relating to voting by unit owners,  
284 | which must be maintained for 1 year from the date of the  
285 | election, vote, or meeting to which the document relates,  
286 | notwithstanding paragraph (b).

287 |       13. All rental records if the association is acting as  
288 | agent for the rental of condominium units.

289 |       14. A copy of the current question and answer sheet as  
290 | described in s. 718.504.

291 |       15. All other written records of the association not  
292 | specifically included in the foregoing which are related to the  
293 | operation of the association.

294 |       16. A copy of the inspection report as described in s.  
295 | 718.301(4)(p).

296 |       17. Bids for materials, equipment, or services.

297 |       (b) The official records specified in subparagraphs (a)1.-  
298 | 6. must be permanently maintained from the inception of the  
299 | association. All other official records must be maintained  
300 | within the state for at least 7 years, unless otherwise provided

301 by general law. All official records must be maintained in a  
302 manner and format determined by the division so that the records  
303 are easily accessible for inspection. The records of the  
304 association shall be made available to a unit owner within 45  
305 miles of the condominium property or within the county in which  
306 the condominium property is located within 10 working days after  
307 receipt of a written request by the board or its designee.  
308 However, such distance requirement does not apply to an  
309 association governing a timeshare condominium. This paragraph  
310 may be complied with by having a copy of the official records of  
311 the association available for inspection or copying on the  
312 condominium property or association property, or the association  
313 may offer the option of making the records available to a unit  
314 owner electronically via the Internet or by allowing the records  
315 to be viewed in electronic format on a computer screen and  
316 printed upon request. The association is not responsible for the  
317 use or misuse of the information provided to an association  
318 member or his or her authorized representative pursuant to the  
319 compliance requirements of this chapter unless the association  
320 has an affirmative duty not to disclose such information  
321 pursuant to this chapter.

322 (c)1. The official records of the association are open to  
323 inspection by any association member or the authorized  
324 representative of such member at all reasonable times. The right  
325 to inspect the records includes the right to make or obtain

326 | copies, at the reasonable expense, if any, of the member or  
327 | authorized representative of such member. A renter of a unit  
328 | only has a right to inspect and copy the declaration of  
329 | condominium and association's bylaws and rules. The association  
330 | must provide a checklist to the member or the authorized  
331 | representative of such member of all records that are made  
332 | available for inspection and copying in response to a written  
333 | request. If any or all of the association's official records are  
334 | not available, such records must be identified on the checklist  
335 | provided to the person requesting the records. The checklist  
336 | must be signed by a manager licensed under part VIII of chapter  
337 | 468 certifying that the checklist is accurate to the best of his  
338 | or her knowledge and belief or the association must provide the  
339 | person requesting the records a sworn affidavit attesting to the  
340 | veracity of the checklist executed by the person responding to  
341 | the written request on behalf of the association. The  
342 | association must maintain a copy of the checklist and affidavit,  
343 | if required, for at least 7 years. Delivery of the checklist and  
344 | affidavit, if required, to the person requesting the records  
345 | creates a rebuttable presumption that the association complied  
346 | with this paragraph. The association may adopt reasonable rules  
347 | regarding the frequency, time, location, notice, and manner of  
348 | record inspections and copying. The failure of an association to  
349 | provide the records within 10 working days after receipt of a  
350 | written request creates a rebuttable presumption that the

351 association willfully failed to comply with this paragraph. A  
352 unit owner who is denied access to official records is entitled  
353 to the actual damages or minimum damages for the association's  
354 willful failure to comply. Minimum damages are \$50 per calendar  
355 day for up to 10 days, beginning on the 11th working day after  
356 receipt of the written request. The failure to permit inspection  
357 entitles any person prevailing in an enforcement action to  
358 recover reasonable attorney fees from the person in control of  
359 the records who, directly or indirectly, knowingly denied access  
360 to the records.

361 2. Any person who knowingly or intentionally defaces or  
362 destroys accounting records that are required by this chapter to  
363 be maintained during the period for which such records are  
364 required to be maintained, or who knowingly or intentionally  
365 fails to create or maintain accounting records that are required  
366 to be created or maintained, with the intent of causing harm to  
367 the association or one or more of its members, is personally  
368 subject to a civil penalty under s. 718.501(2)(d) ~~pursuant to s.~~  
369 ~~718.501(1)(d)~~.

370 3. The association shall maintain an adequate number of  
371 copies of the declaration, articles of incorporation, bylaws,  
372 and rules, and all amendments to each of the foregoing, as well  
373 as the question and answer sheet as described in s. 718.504 and  
374 year-end financial information required under this section, on  
375 the condominium property to ensure their availability to unit

376 owners and prospective purchasers, and may charge its actual  
377 costs for preparing and furnishing these documents to those  
378 requesting the documents. An association shall allow a member or  
379 his or her authorized representative to use a portable device,  
380 including a smartphone, tablet, portable scanner, or any other  
381 technology capable of scanning or taking photographs, to make an  
382 electronic copy of the official records in lieu of the  
383 association's providing the member or his or her authorized  
384 representative with a copy of such records. The association may  
385 not charge a member or his or her authorized representative for  
386 the use of a portable device. Notwithstanding this paragraph,  
387 the following records are not accessible to unit owners:

388       a. Any record protected by the lawyer-client privilege as  
389 described in s. 90.502 and any record protected by the work-  
390 product privilege, including a record prepared by an association  
391 attorney or prepared at the attorney's express direction, which  
392 reflects a mental impression, conclusion, litigation strategy,  
393 or legal theory of the attorney or the association, and which  
394 was prepared exclusively for civil or criminal litigation or for  
395 adversarial administrative proceedings, or which was prepared in  
396 anticipation of such litigation or proceedings until the  
397 conclusion of the litigation or proceedings.

398       b. Information obtained by an association in connection  
399 with the approval of the lease, sale, or other transfer of a  
400 unit.



401 c. Personnel records of association or management company  
402 employees, including, but not limited to, disciplinary, payroll,  
403 health, and insurance records. For purposes of this sub-  
404 subparagraph, the term "personnel records" does not include  
405 written employment agreements with an association employee or  
406 management company, or budgetary or financial records that  
407 indicate the compensation paid to an association employee.

408 d. Medical records of unit owners.

409 e. Social security numbers, driver license numbers, credit  
410 card numbers, e-mail addresses, telephone numbers, facsimile  
411 numbers, emergency contact information, addresses of a unit  
412 owner other than as provided to fulfill the association's notice  
413 requirements, and other personal identifying information of any  
414 person, excluding the person's name, unit designation, mailing  
415 address, property address, and any address, e-mail address, or  
416 facsimile number provided to the association to fulfill the  
417 association's notice requirements. Notwithstanding the  
418 restrictions in this sub-subparagraph, an association may print  
419 and distribute to unit ~~parcel~~ owners a directory containing the  
420 name, unit ~~parcel~~ address, and all telephone numbers of each  
421 unit ~~parcel~~ owner. However, an owner may exclude his or her  
422 telephone numbers from the directory by so requesting in writing  
423 to the association. An owner may consent in writing to the  
424 disclosure of other contact information described in this sub-  
425 subparagraph. The association is not liable for the inadvertent

426 disclosure of information that is protected under this sub-  
 427 subparagraph if the information is included in an official  
 428 record of the association and is voluntarily provided by an  
 429 owner and not requested by the association.

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

432 g. The software and operating system used by the  
 433 association which allow the manipulation of data, even if the  
 434 owner owns a copy of the same software used by the association.  
 435 The data is part of the official records of the association.

436 (f) An outgoing board or committee member must relinquish  
 437 all official records and property of the association in his or  
 438 her possession or under his or her control to the incoming board  
 439 within 5 days after the election. The division shall impose a  
 440 civil penalty as set forth in s. 718.501(2)(d)6. ~~s.~~  
 441 ~~718.501(1)(d)6.~~ against an outgoing board or committee member  
 442 who willfully and knowingly fails to relinquish such records and  
 443 property.

444 Section 5. Subsections (1) and (2) of section 718.501,  
 445 Florida Statutes, are renumbered as subsections (2) and (3),  
 446 respectively, paragraphs (h) and (j) of present subsection (1)  
 447 of that section are amended, and a new subsection (1) is added  
 448 to that section, to read:

449 718.501 Authority, responsibility, and duties of Division  
 450 of Florida Condominiums, Timeshares, and Mobile Homes.—

451        (1) As used in this section, the term "financial issue"  
452 means an issue related to operating budgets; reserve schedules;  
453 accounting records under s. 718.111(12)(a)11.; notices of  
454 meetings; minutes of meetings discussing budget or financial  
455 issues; assessments for common expenses, fees, or fines; the  
456 commingling of funds; and any other record necessary to  
457 determine the revenues and expenses of the association. The  
458 division may adopt rules to further define what a financial  
459 issue is under this section and to adopt the checklist provided  
460 for in s. 718.111(12)(c)1.

461        (2)~~(1)~~ The division may enforce and ensure compliance with  
462 the provisions of this chapter and rules relating to the  
463 development, construction, sale, lease, ownership, operation,  
464 and management of residential condominium units. In performing  
465 its duties, the division has complete jurisdiction to  
466 investigate complaints and enforce compliance with respect to  
467 associations that are still under developer control or the  
468 control of a bulk assignee or bulk buyer pursuant to part VII of  
469 this chapter and complaints against developers, bulk assignees,  
470 or bulk buyers involving improper turnover or failure to  
471 turnover, pursuant to s. 718.301. However, after turnover has  
472 occurred, the division has jurisdiction to investigate  
473 complaints related only to financial issues, elections, and the  
474 maintenance of and unit owner access to association records  
475 under ~~pursuant to~~ s. 718.111(12).

476 (h) The division shall furnish each association that pays  
477 the fees required by paragraph (3) (a) ~~paragraph (2) (a)~~ a copy of  
478 this chapter, as amended, and the rules adopted thereto on an  
479 annual basis.

480 (j) The division shall provide training and educational  
481 programs for condominium association board members and unit  
482 owners. The training may, in the division's discretion, include  
483 web-based electronic media, and live training and seminars in  
484 various locations throughout the state. The division may review  
485 and approve education and training programs for board members  
486 and unit owners offered by providers and shall maintain a  
487 current list of approved programs and providers and make such  
488 list available to board members and unit owners in a reasonable  
489 and cost-effective manner. The division may adopt rules to  
490 establish requirements for the training and educational programs  
491 required in this paragraph.

492 Section 6. Paragraph (h) is added to subsection (1) of  
493 section 720.306, Florida Statutes, to read:

494 720.306 Meetings of members; voting and election  
495 procedures; amendments.—

496 (1) QUORUM; AMENDMENTS.—

497 (h)1. Except as otherwise provided in this paragraph, an  
498 amendment to any governing document that is enacted after July  
499 1, 2020, that prohibits a parcel owner from renting the parcel,  
500 alters the authorized duration of a rental term, or specifies or

501 limits the number of times that a parcel owner may rent his or  
502 her parcel during a specified term, applies only to a parcel  
503 owner who acquires title to the parcel after the effective date  
504 of the amendment, or to a parcel owner who consents,  
505 individually or through a representative, to the amendment.

506 2. Notwithstanding subparagraph 1., an association may  
507 amend its governing documents to prohibit or regulate rentals  
508 for a term of less than 6 months and to prohibit rentals more  
509 than three times in a calendar year, and such amendments shall  
510 apply to all parcel owners.

511 3. This paragraph does not affect the amendment  
512 restrictions for associations of 15 or fewer parcel owners under  
513 s. 720.303(1).

514 4. For purposes of this paragraph, a change of ownership  
515 does not occur when a parcel owner conveys the parcel to an  
516 affiliated entity or when beneficial ownership of the parcel  
517 does not change. For purposes of this subparagraph, the term  
518 "affiliated entity" means an entity that controls, is controlled  
519 by, or is under common control with the parcel owner or that  
520 becomes a parent or successor entity by reason of transfer,  
521 merger, consolidation, public offering, reorganization,  
522 dissolution or sale of stock, or transfer of membership  
523 partnership interests. For a conveyance to be recognized as one  
524 made to an affiliated entity, the entity must furnish the  
525 association a document certifying that this paragraph applies,

526 | as well as providing any organizational documents for the parcel  
527 | owner and the affiliated entity that support the representations  
528 | in the certificate, as requested by the association.

529 |       Section 7. This act shall take effect July 1, 2020.