

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Rodriguez, A. offered the following:

Amendment to Amendment (559554) (with directory and title amendments)

Between lines 933 and 934 of the amendment, insert:

(i) Transfer fees.~~An association may not~~ ~~no~~ charge a fee shall be made by the association or any body thereof in connection with the sale, mortgage, lease, sublease, or other transfer of a unit unless the association is required to approve such transfer and a fee for such approval is provided for in the declaration, articles, or bylaws. Any such fee may be preset, but may not ~~in no event may such fee~~ exceed \$150 ~~\$100~~ per applicant other than spouses or parent and dependent child, who

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14 ~~husband/wife or parent/dependent child, which~~ are considered one
15 applicant. However, if the lease or sublease is a renewal of a
16 lease or sublease with the same lessee or sublessee, a charge
17 may not ~~no charge shall~~ be made. Such fees shall be adjusted
18 every 5 years in an amount equal to the total of the annual
19 increases for that 5-year period in the Consumer Price Index for
20 All Urban Consumers, U.S. City Average, All Items. The
21 Department of Business and Professional Regulation shall
22 periodically calculate the fees, rounded to the nearest dollar,
23 and publish the amounts, as adjusted, on its website. The
24 foregoing notwithstanding, an association may, if the authority
25 to do so appears in the declaration, articles, or bylaws,
26 require that a prospective lessee place a security deposit, in
27 an amount not to exceed the equivalent of 1 month's rent, into
28 an escrow account maintained by the association. The security
29 deposit shall protect against damages to the common elements or
30 association property. Payment of interest, claims against the
31 deposit, refunds, and disputes under this paragraph shall be
32 handled in the same fashion as provided in part II of chapter
33 83.

34 Section 13. Paragraph (h) is added to subsection (1) of
35 720.306, Florida Statutes, to read:

36 720.306 Meetings of members; voting and election
37 procedures; amendments.—

38 (1) QUORUM; AMENDMENTS.—

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39 (h)1. Except as otherwise provided in this paragraph, an
40 amendment to any governing document that is enacted after July
41 1, 2020, that prohibits a parcel owner from renting the parcel,
42 alters the authorized duration of a rental term, or specifies or
43 limits the number of times that a parcel owner may rent his or
44 her parcel during a specified term, applies only to a parcel
45 owner who acquires title to the parcel after the effective date
46 of the amendment, or to a parcel owner who consents,
47 individually or through a representative, to the amendment.

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

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

56 4. For purposes of this paragraph, a change of ownership
57 does not occur when a parcel owner conveys the parcel to an
58 affiliated entity or when beneficial ownership of the parcel
59 does not change. For purposes of this subparagraph, the term
60 "affiliated entity" means an entity that controls, is controlled
61 by, or is under common control with the parcel owner or that
62 becomes a parent or successor entity by reason of transfer,
63 merger, consolidation, public offering, reorganization,

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64 dissolution or sale of stock, or transfer of membership
 65 partnership interests. For a conveyance to be recognized as one
 66 made to an affiliated entity, the entity must furnish the
 67 association a document certifying that this paragraph applies,
 68 as well as providing any organizational documents for the parcel
 69 owner and the affiliated entity that support the representations
 70 in the certificate, as requested by the association.

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D I R E C T O R Y A M E N D M E N T

74 Remove line 591 of the amendment and insert:
 75 Section 12. Paragraphs (d), (f), and (i) of subsection (2)
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T I T L E A M E N D M E N T

80 Remove line 1114 of the amendment and insert:
 81 specified time; revising the fees an association may
 82 charge for transfers; amending s. 720.306, F.S.;
 83 providing limitations on associations when a parcel
 84 owner attempts to rent or lease his or her parcel;
 85 amending s. 718.501, F.S.; authorizing

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