



224020

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/26/2023	.	
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The Committee on Fiscal Policy (Rodriguez) recommended the following:

Senate Amendment to Amendment (578060) (with title amendment)

Delete lines 5 - 10
and insert:

Section 2. Paragraph (c) of subsection (2) and paragraph (g) of subsection (4) of section 720.303, Florida Statutes, are amended, and paragraph (d) is added to subsection (8) of that section, to read:

720.303 Association powers and duties; meetings of board;



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11 official records; budgets; financial reporting; association
12 funds; recalls.—

13 (2) BOARD MEETINGS.—

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

17 1. Notices of all board meetings must specifically identify
18 agenda items for the meetings and must be posted in a
19 conspicuous place in the community at least 48 hours in advance
20 of a meeting, except in an emergency. In the alternative, if
21 notice is not posted in a conspicuous place in the community,
22 notice of each board meeting must be mailed or delivered to each
23 member at least 7 days before the meeting, except in an
24 emergency. Notwithstanding this general notice requirement, for
25 communities with more than 100 members, the association bylaws
26 may provide for a reasonable alternative to posting or mailing
27 of notice for each board meeting, including publication of
28 notice, provision of a schedule of board meetings, or the
29 conspicuous posting and repeated broadcasting of the notice on a
30 closed-circuit cable television system serving the homeowners'
31 association. However, if broadcast notice is used in lieu of a
32 notice posted physically in the community, the notice must be
33 broadcast at least four times every broadcast hour of each day
34 that a posted notice is otherwise required. When broadcast
35 notice is provided, the notice and agenda must be broadcast in a
36 manner and for a sufficient continuous length of time so as to
37 allow an average reader to observe the notice and read and
38 comprehend the entire content of the notice and the agenda. In
39 addition to any of the authorized means of providing notice of a



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40 meeting of the board, the association may, by rule, adopt a
41 procedure for conspicuously posting the meeting notice and the
42 agenda on the association's website or an application that can
43 be downloaded on a mobile device for at least the minimum period
44 of time for which a notice of a meeting is also required to be
45 physically posted on the association property. Any rule adopted
46 must, in addition to other matters, include a requirement that
47 the association send an electronic notice to members whose e-
48 mail addresses are included in the association's official
49 records in the same manner as is required for a notice of a
50 meeting of the members. Such notice must include a hyperlink to
51 the website or such mobile application on which the meeting
52 notice is posted. The association may provide notice by
53 electronic transmission in a manner authorized by law for
54 meetings of the board of directors, committee meetings requiring
55 notice under this section, and annual and special meetings of
56 the members to any member who has provided a facsimile number or
57 e-mail address to the association to be used for such purposes;
58 however, a member must consent in writing to receiving notice by
59 electronic transmission.

60 2. An assessment may not be levied at a board meeting
61 unless the notice of the meeting includes a statement that
62 assessments will be considered and the nature of the
63 assessments. Written notice of any meeting at which special
64 assessments will be considered or at which amendments to rules
65 regarding parcel use will be considered must be mailed,
66 delivered, or electronically transmitted to the members and
67 parcel owners and posted conspicuously on the property or
68 broadcast on closed-circuit cable television not less than 14



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69 days before the meeting.

70 3. Directors may not vote by proxy or by secret ballot at
71 board meetings, except that secret ballots may be used in the
72 election of officers. This subsection also applies to the
73 meetings of any committee or other similar body, when a final
74 decision will be made regarding the expenditure of association
75 funds, and to any body vested with the power to approve or
76 disapprove architectural decisions with respect to a specific
77 parcel of residential property owned by a member of the
78 community.

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80 ===== T I T L E A M E N D M E N T =====

81 And the title is amended as follows:

82 Between lines 119 and 120

83 insert:

84 that notices for board meetings specifically identify
85 agenda items; requiring