

By Senator Bradley

6-01522E-24

20241178__

1 A bill to be entitled
2 An act relating to condominium and cooperative
3 associations; amending s. 468.4334, F.S.; requiring
4 community association managers and management firms to
5 return official records of an association within a
6 specified period following termination of a contract;
7 providing a rebuttable presumption regarding
8 noncompliance; providing penalties for the failure to
9 timely return official records; creating s. 468.4335,
10 F.S.; requiring community association managers and
11 management firms to disclose certain conflicts of
12 interest to the association's board; providing a
13 rebuttable presumption as to the existence of a
14 conflict; requiring an association to consider
15 multiple bids for goods or services under certain
16 circumstances; providing requirements for an
17 association to approve any contract or transaction
18 deemed a conflict of interest; authorizing that any
19 such contract may be canceled, subject to certain
20 requirements; specifying liability and nonliability of
21 the association upon cancellation of such a contract;
22 authorizing an association to cancel a contract with a
23 community association manager or management firm upon
24 a finding of a violation of certain provisions;
25 specifying liability and nonliability of the
26 association upon cancellation of such a contract;
27 authorizing an association to void a contract if
28 certain conflicts were not disclosed in accordance
29 with the act; defining the term "relative"; amending

6-01522E-24

20241178__

30 s. 468.436, F.S.; revising the list of grounds for
31 which the Department of Business and Professional
32 Regulation may take disciplinary actions against
33 community association managers or firms to conform to
34 changes made by the act; amending s. 718.103, F.S.;
35 revising the definition of the term "alternative
36 funding method" to conform to changes made by the act;
37 defining the term "hurricane protection"; amending s.
38 718.104, F.S.; requiring that declarations specify the
39 entity responsible for the installation, maintenance,
40 repair, or replacement of hurricane protection;
41 amending s. 718.111, F.S.; providing criminal
42 penalties for any officer, director, or manager of an
43 association who unlawfully solicits, offers to accept,
44 or accepts any thing or service of value or kickback;
45 revising the list of records that constitute the
46 official records of an association; revising
47 maintenance requirements for official records;
48 revising requirements regarding requests to inspect or
49 copy association records; requiring an association to
50 provide a checklist and affidavit in response to
51 certain records requests; providing a rebuttable
52 presumption regarding compliance; providing criminal
53 penalties for certain violations regarding
54 noncompliance with records requirements; defining the
55 term "repeatedly"; requiring that copies of certain
56 building permits be posted on an association's website
57 or application; modifying the method of delivery of
58 certain letters regarding association financial

6-01522E-24

20241178__

59 reports to unit owners; conforming a provision to
60 changes made by the act; revising circumstances under
61 which an association may prepare certain reports;
62 requiring an association to prepare certain financial
63 statements if it invests funds in a certain manner;
64 revising applicable law for criminal penalties for
65 persons who unlawfully use a debit card issued in the
66 name of an association; defining the term "lawful
67 obligation of the association"; providing requirements
68 for associations investing funds in certain investment
69 products; providing duties of the board and any
70 investment adviser selected by the board; revising the
71 threshold for associations that must post certain
72 documents on its website or through an application;
73 amending s. 718.112, F.S.; requiring the boards of
74 administration of associations consisting of more than
75 a specified number of units to meet a minimum number
76 of times each year; revising requirements regarding
77 notice of such meetings; requiring a director of a
78 board of an association to provide a written
79 certification and complete an educational requirement
80 upon election or appointment to the board; providing
81 transitional provisions; requiring that an
82 association's budget include reserve amounts for
83 planned maintenance, in lieu of deferred maintenance;
84 authorizing the structural integrity reserve study to
85 temporarily pause or limit reserve funding if certain
86 conditions exist; requiring an association to
87 distribute or deliver copies of a structural integrity

6-01522E-24

20241178__

88 reserve study to unit owners within a specified
89 timeframe; specifying the manner of distribution or
90 delivery; authorizing certain boards to approve
91 contingent special assessments in order to secure a
92 line of credit under certain circumstances; specifying
93 requirements and limitations for any line of credit
94 secured; revising the circumstances under which a
95 director or an officer must be removed from office
96 after being charged by information or indictment;
97 prohibiting such officers and directors with pending
98 criminal charges from accessing the official records
99 of any association; providing an exception; providing
100 criminal penalties for certain fraudulent voting
101 activities relating to association elections; amending
102 s. 718.113, F.S.; providing applicability;
103 authorizing, rather than requiring, certain hurricane
104 protection specifications; specifying that certain
105 actions are not material alterations or substantial
106 additions; authorizing the boards of residential and
107 mixed-use condominiums to install or require the unit
108 owners to install hurricane protection; requiring a
109 vote of the unit owners for the installation of
110 hurricane protection; requiring that such vote be
111 attested to in a certificate and recorded in certain
112 public records; providing requirements for such
113 certificate; providing that the validity or
114 enforceability of a vote of the unit owners is not
115 affected if the board fails to record a certificate or
116 send a copy of the recorded certificate to the unit

6-01522E-24

20241178__

117 owners; providing that a vote of the unit owners is
118 not required under certain circumstances; prohibiting
119 installation of the same type of hurricane protection
120 previously installed; providing exceptions;
121 prohibiting the boards of residential and mixed-use
122 condominiums from refusing to approve certain
123 hurricane protections; authorizing the board to
124 require owners to adhere to certain guidelines
125 regarding the external appearance of a condominium;
126 revising responsibility for the cost of removal or
127 reinstallation of hurricane protection and certain
128 exterior windows, doors, or apertures in certain
129 circumstances; requiring the board to make a certain
130 determination; providing that costs incurred by the
131 association in connection with such removal or
132 installation completed by the association may not be
133 charged to the unit owner; requiring reimbursement of
134 the unit owner, or application of a credit toward
135 future assessments, in certain circumstances;
136 authorizing the association to collect charges if the
137 association removes or installs hurricane protection
138 and making such charges enforceable as an assessment;
139 amending s. 718.115, F.S.; specifying when the cost of
140 installation of hurricane protection is not a common
141 expense; authorizing certain expenses to be
142 enforceable as assessments; requiring that certain
143 unit owners be excused from certain assessments or to
144 receive a credit for hurricane protection that has
145 been installed; providing credit applicability under

6-01522E-24

20241178__

146 certain circumstances; providing for the amount of
147 credit that a unit owner must receive; specifying that
148 certain expenses are common expenses; amending s.
149 718.116, F.S.; requiring that the written notice of
150 certain assessments be recorded in the public records;
151 amending s. 718.121, F.S.; conforming a cross-
152 reference; amending s. 718.1224, F.S.; revising
153 legislative findings and intent to conform to changes
154 made by the act; revising the definition of the term
155 "governmental entity"; prohibiting a condominium
156 association from filing strategic lawsuits against
157 public participation; prohibiting an association from
158 taking certain action against a unit owner in response
159 to specified conduct; prohibiting associations from
160 expending association funds in support of certain
161 actions against a unit owner; conforming provisions to
162 changes made by the act; amending s. 718.301, F.S.;
163 revising items that developers are required to deliver
164 to an association upon relinquishing control of the
165 association; amending s. 718.3026, F.S.; exempting
166 contracts for registered investment advisers from
167 certain contract requirements; amending s. 718.3027,
168 F.S.; revising requirements regarding attendance at a
169 board meeting in the event of a conflict of interest;
170 modifying circumstances under which a contract may be
171 voided; amending s. 718.303, F.S.; requiring that a
172 notice of nonpayment be provided to a unit owner by a
173 specified time before an election or a vote of
174 association members; amending s. 718.501, F.S.;

6-01522E-24

20241178__

175 revising circumstances under which the Division of
176 Florida Condominiums, Timeshares, and Mobile Homes has
177 jurisdiction to investigate and enforce certain
178 matters; requiring the division to provide official
179 records, without charge, to a unit owner denied
180 access; requiring the division to provide educational
181 curriculum and issue a certificate, free of charge, to
182 directors of a board of administration; requiring the
183 division to refer suspected criminal acts to the
184 appropriate law enforcement authority; authorizing
185 certain division officials to attend association
186 meetings; requiring the division to conduct random
187 audits of associations for specified purposes;
188 requiring that an association's annual fee be filed
189 concurrently with the annual certification; specifying
190 requirements for the annual certification; amending s.
191 718.618, F.S.; conforming a provision to changes made
192 by the act; amending s. 719.106, F.S.; requiring that
193 a cooperative association's budget include reserve
194 amounts for planned maintenance, in lieu of deferred
195 maintenance; requiring an association to distribute or
196 deliver copies of a structural integrity reserve study
197 to unit owners within a specified timeframe;
198 specifying the manner of distribution or delivery;
199 conforming provisions to changes made by the act;
200 amending s. 719.301, F.S.; revising items that
201 developers are required to deliver to a cooperative
202 association upon relinquishing control of association
203 property; amending s. 719.618, F.S.; conforming a

6-01522E-24

20241178__

204 provision to changes made by the act; requiring the
205 division to conduct a review of statutory requirements
206 regarding posting of official records on a condominium
207 association's website or application; requiring the
208 division to submit its findings, including any
209 recommendations, to the Governor and the Legislature
210 by a specified date; providing effective dates.
211

212 Be It Enacted by the Legislature of the State of Florida:
213

214 Section 1. Subsection (3) is added to section 468.4334,
215 Florida Statutes, to read:

216 468.4334 Professional practice standards; liability.-

217 (3) A community association manager or a community
218 association management firm shall return all community
219 association official records within its possession to the
220 community association within 20 business days after termination
221 of a contractual agreement to provide community association
222 management services to the community association or receipt of a
223 written request for return of the official records, whichever
224 occurs first. Failure of a community association manager or a
225 community association management firm to timely return all of
226 the official records within its possession to the community
227 association creates a rebuttable presumption that the
228 association willfully failed to comply with this subsection. A
229 community association manager or a community association
230 management firm that fails to timely return community
231 association records is subject to suspension of its license
232 under s. 468.436, and a civil penalty of \$1,000 per day for up

6-01522E-24

20241178__

233 to 10 days, assessed beginning on the 21st day after termination
234 of a contractual agreement to provide community association
235 management services to the community association or receipt of a
236 written request from the association for return of the records,
237 whichever occurs first.

238 Section 2. Section 468.4335, Florida Statutes, is created
239 to read:

240 468.4335 Conflicts of interest.-

241 (1) A community association manager or a community
242 association management firm, including directors, officers,
243 persons with a financial interest in a community association
244 management firm, and the relatives of such persons, must
245 disclose to the board any activity that may reasonably be
246 construed to be a conflict of interest. A rebuttable presumption
247 of a conflict of interest exists if any of the following occurs
248 without prior notice, as required in subsection (5):

249 (a) A community association manager or a community
250 association management firm, including directors, officers,
251 persons with a financial interest in a community association
252 management firm, or the relative of such persons, enters into a
253 contract for goods or services with the association.

254 (b) A community association manager or a community
255 association management firm, including directors, officers,
256 persons with a financial interest in a community association
257 management firm, or the relative of such persons, holds an
258 interest in a corporation, limited liability corporation,
259 partnership, limited liability partnership, or other business
260 entity that conducts business with the association or proposes
261 to enter into a contract or other transaction with the

6-01522E-24

20241178__

262 association.

263 (2) If the association receives and considers a bid to
264 provide a good or service, other than community association
265 management services, from a community association manager or a
266 community association management firm, including directors,
267 officers, persons with a financial interest in a community
268 association management firm, or a relative of such persons, the
269 association must also consider at least three bids from other
270 third-party providers of such good or service.

271 (3) If a community association manager or a community
272 association management firm, including directors, officers,
273 persons with a financial interest in a community association
274 management firm, or the relative of such persons, proposes to
275 engage in an activity that is a conflict of interest as
276 described in subsection (1), the proposed activity must be
277 listed on, and all contracts and transactional documents related
278 to the proposed activity must be attached to, the meeting
279 agenda. The disclosures must be entered into the written minutes
280 of the meeting. Approval of the contract or other transaction
281 requires an affirmative vote of two-thirds of all other
282 directors present. At the next regular or special meeting of the
283 members, the existence of the contract or other transaction must
284 be disclosed to the members. Upon motion of any member, the
285 contract or transaction must be brought up for a vote and may be
286 canceled by a majority vote of the members present. If the
287 contract is canceled, the association is liable only for the
288 reasonable value of the goods and services provided up to the
289 time of cancellation and is not liable for any termination fee,
290 liquidated damages, or other form of penalty for such

6-01522E-24

20241178__

291 cancellation.

292 (4) If the board finds that a community association manager
293 or a community association management firm, including directors,
294 officers, persons with a financial interest in a community
295 association management firm, or the relative of such persons,
296 has violated this section, the association may cancel its
297 community association management contract with the community
298 association manager or the community association management
299 firm. If the contract is canceled, the association is liable
300 only for the reasonable value of the management services
301 provided up to the time of cancellation and is not liable for
302 any termination fee, liquidated damages, or other form of
303 penalty for such cancellation.

304 (5) If an association enters into a contract with a
305 community association manager or a community association
306 management firm, including directors, officers, persons with a
307 financial interest in a community association management firm,
308 or the relative of such persons, which is a party to or has an
309 interest in an activity that is a possible conflict of interest
310 as described in subsection (1) and that activity has not been
311 properly disclosed as a conflict of interest or potential
312 conflict of interest as required by this section, the contract
313 is voidable and terminates upon the association filing a written
314 notice terminating the contract with its board of directors
315 which contains the consent of at least 20 percent of the voting
316 interests of the association.

317 (6) As used in this section, the term "relative" means a
318 relative within the third degree of consanguinity by blood or
319 marriage.

6-01522E-24

20241178__

320 Section 3. Paragraph (b) of subsection (2) of section
321 468.436, Florida Statutes, is amended to read:
322 468.436 Disciplinary proceedings.—
323 (2) The following acts constitute grounds for which the
324 disciplinary actions in subsection (4) may be taken:
325 (b)1. Violation of ~~any provision of~~ this part.
326 2. Violation of any lawful order or rule rendered or
327 adopted by the department or the council.
328 3. Being convicted of or pleading nolo contendere to a
329 felony in any court in the United States.
330 4. Obtaining a license or certification or any other order,
331 ruling, or authorization by means of fraud, misrepresentation,
332 or concealment of material facts.
333 5. Committing acts of gross misconduct or gross negligence
334 in connection with the profession.
335 6. Contracting, on behalf of an association, with any
336 entity in which the licensee has a financial interest that is
337 not disclosed.
338 7. Failing to disclose any conflict of interest as required
339 by s. 468.4335.
340 8. Violating ~~any provision of~~ chapter 718, chapter 719, or
341 chapter 720 during the course of performing community
342 association management services pursuant to a contract with a
343 community association as defined in s. 468.431(1).
344 Section 4. Present subsections (19) through (32) of section
345 718.103, Florida Statutes, are redesignated as subsections (20)
346 through (33), respectively, a new subsection (19) is added to
347 that section, and subsection (1) of that section is amended, to
348 read:

6-01522E-24

20241178__

349 718.103 Definitions.—As used in this chapter, the term:

350 (1) "Alternative funding method" means a method approved by
351 the division for funding the capital expenditures and planned
352 ~~deferred~~ maintenance obligations for a multicondominium
353 association operating at least 25 condominiums which may
354 reasonably be expected to fully satisfy the association's
355 reserve funding obligations by the allocation of funds in the
356 annual operating budget.

357 (19) "Hurricane protection" means hurricane shutters,
358 impact glass, code-compliant windows or doors, and other code-
359 compliant hurricane protection products used to preserve and
360 protect the condominium property or association property.

361 Section 5. Paragraph (p) is added to subsection (4) of
362 section 718.104, Florida Statutes, to read:

363 718.104 Creation of condominiums; contents of declaration.—
364 Every condominium created in this state shall be created
365 pursuant to this chapter.

366 (4) The declaration must contain or provide for the
367 following matters:

368 (p) For both residential condominiums and mixed-use
369 condominiums, a statement that specifies whether the unit owner
370 or the association is responsible for the installation,
371 maintenance, repair, or replacement of hurricane protection that
372 is for the preservation and protection of the condominium
373 property and association property.

374 Section 6. Paragraph (a) of subsection (1) and subsections
375 (12), (13), and (15) of section 718.111, Florida Statutes, are
376 amended, and subsection (16) is added to that section, to read:

377 718.111 The association.—

6-01522E-24

20241178__

378 (1) CORPORATE ENTITY.—

379 (a) The operation of the condominium shall be by the
380 association, which must be a Florida corporation for profit or a
381 Florida corporation not for profit. However, any association
382 which was in existence on January 1, 1977, need not be
383 incorporated. The owners of units shall be shareholders or
384 members of the association. The officers and directors of the
385 association have a fiduciary relationship to the unit owners. It
386 is the intent of the Legislature that nothing in this paragraph
387 shall be construed as providing for or removing a requirement of
388 a fiduciary relationship between any manager employed by the
389 association and the unit owners. An officer, director, or
390 manager may not solicit, offer to accept, or accept any thing or
391 service of value or kickback for which consideration has not
392 been provided for his or her own benefit or that of his or her
393 immediate family, from any person providing or proposing to
394 provide goods or services to the association. Any such officer,
395 director, or manager who knowingly so solicits, offers to
396 accept, or accepts any thing or service of value or kickback
397 commits a felony of the third degree, punishable as provided in
398 s. 775.082, s. 775.083, or s. 775.084, and is subject to a civil
399 penalty pursuant to s. 718.501(1) (d) and, if applicable, a
400 ~~criminal penalty as provided in paragraph (d).~~ However, this
401 paragraph does not prohibit an officer, director, or manager
402 from accepting services or items received in connection with
403 trade fairs or education programs. An association may operate
404 more than one condominium.

405 (12) OFFICIAL RECORDS.—

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

6-01522E-24

20241178__

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

409 1. A copy of the plans, permits, warranties, and other
410 items provided by the developer under s. 718.301(4).

411 2. A photocopy of the recorded declaration of condominium
412 of each condominium operated by the association and each
413 amendment to each declaration.

414 3. A photocopy of the recorded bylaws of the association
415 and each amendment to the bylaws.

416 4. A certified copy of the articles of incorporation of the
417 association, or other documents creating the association, and
418 each amendment thereto.

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

420 6. A book or books that contain the minutes of all meetings
421 of the association, the board of administration, and the unit
422 owners.

423 7. A current roster of all unit owners and their mailing
424 addresses, unit identifications, voting certifications, and, if
425 known, telephone numbers. The association shall also maintain
426 the e-mail addresses and facsimile numbers of unit owners
427 consenting to receive notice by electronic transmission. The e-
428 mail addresses and facsimile numbers are not accessible to unit
429 owners if consent to receive notice by electronic transmission
430 is not provided in accordance with sub-subparagraph (c)5.e.

431 ~~(c)3.e.~~ However, the association is not liable for an
432 inadvertent disclosure of the e-mail address or facsimile number
433 for receiving electronic transmission of notices.

434 8. All current insurance policies of the association and
435 condominiums operated by the association.

6-01522E-24

20241178__

436 9. A current copy of any management agreement, lease, or
437 other contract to which the association is a party or under
438 which the association or the unit owners have an obligation or
439 responsibility.

440 10. Bills of sale or transfer for all property owned by the
441 association.

442 11. Accounting records for the association and separate
443 accounting records for each condominium that the association
444 operates. Any person who knowingly or intentionally defaces or
445 destroys such records, or who knowingly or intentionally fails
446 to create or maintain such records, with the intent of causing
447 harm to the association or one or more of its members, is
448 personally subject to a civil penalty pursuant to s.
449 718.501(1)(d). The accounting records must include, but are not
450 limited to:

451 a. Accurate, itemized, and detailed records of all receipts
452 and expenditures.

453 b. All invoices, transaction receipts, deposit slips, or
454 other underlying documentation that substantiates any receipt or
455 expenditure of funds by the association.

456 c. A current account and a monthly, bimonthly, or quarterly
457 statement of the account for each unit designating the name of
458 the unit owner, the due date and amount of each assessment, the
459 amount paid on the account, and the balance due.

460 ~~d.e.~~ All audits, reviews, accounting statements, structural
461 integrity reserve studies, and financial reports of the
462 association or condominium. Structural integrity reserve studies
463 must be maintained for at least 15 years after the study is
464 completed.

6-01522E-24

20241178__

465 ~~e.d.~~ All contracts for work to be performed. Bids for work
466 to be performed are also considered official records and must be
467 maintained by the association for at least 1 year after receipt
468 of the bid.

469 12. Ballots, sign-in sheets, voting proxies, and all other
470 papers and electronic records relating to voting by unit owners,
471 which must be maintained for 1 year from the date of the
472 election, vote, or meeting to which the document relates,
473 notwithstanding paragraph (b).

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

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

478 15. A copy of the inspection reports described in ss.
479 553.899 and 718.301(4) (p) and any other inspection report
480 relating to a structural or life safety inspection of
481 condominium property. Such record must be maintained by the
482 association for 15 years after receipt of the report.

483 16. Bids for materials, equipment, or services.

484 17. All affirmative acknowledgments made pursuant to s.
485 718.121(4) (c).

486 18. A copy of the investment policy statement adopted
487 pursuant to paragraph (16) (c).

488 19. A copy of all building permits.

489 20. All other written records of the association not
490 specifically included in the foregoing which are related to the
491 operation of the association.

492 (b) The official records specified in subparagraphs (a)1.-
493 6. must be permanently maintained from the inception of the

6-01522E-24

20241178__

494 association. Bids for work to be performed or for materials,
495 equipment, or services must be maintained for at least 1 year
496 after receipt of the bid. All other official records must be
497 maintained within the state for at least 7 years, unless
498 otherwise provided by general law. The official records must be
499 maintained in an organized manner that facilitates inspection of
500 the records by a unit owner. The obligation to maintain official
501 records includes the obligation to obtain and recreate those
502 records to the fullest extent possible in the event that the
503 records are lost, destroyed, or otherwise unavailable. The
504 records of the association shall be made available to a unit
505 owner within 45 miles of the condominium property or within the
506 county in which the condominium property is located within 10
507 working days after receipt of a written request by the board or
508 its designee. However, such distance requirement does not apply
509 to an association governing a timeshare condominium. This
510 paragraph and paragraph (c) may be complied with by having a
511 copy of the official records of the association available for
512 inspection or copying on the condominium property or association
513 property, or the association may offer the option of making the
514 records available to a unit owner electronically via the
515 Internet as provided under paragraph (g) or by allowing the
516 records to be viewed in electronic format on a computer screen
517 and printed upon request. The association is not responsible for
518 the use or misuse of the information provided to an association
519 member or his or her authorized representative in compliance
520 with this chapter unless the association has an affirmative duty
521 not to disclose such information under this chapter.

522 (c)1.a. The official records of the association are open to

6-01522E-24

20241178__

523 inspection by any association member and any person authorized
524 by an association member as a representative of such member at
525 all reasonable times. The right to inspect the records includes
526 the right to make or obtain copies, at the reasonable expense,
527 if any, of the member and of the person authorized by the
528 association member as a representative of such member. A renter
529 of a unit has a right to inspect and copy only the declaration
530 of condominium, the association's bylaws and rules, and the
531 inspection reports described in ss. 553.899 and 718.301(4)(p).
532 The association may adopt reasonable rules regarding the
533 frequency, time, location, notice, and manner of record
534 inspections and copying but may not require a member to
535 demonstrate any purpose or state any reason for the inspection.
536 The failure of an association to provide the records within 10
537 working days after receipt of a written request creates a
538 rebuttable presumption that the association willfully failed to
539 comply with this paragraph. A unit owner who is denied access to
540 official records is entitled to the actual damages or minimum
541 damages for the association's willful failure to comply. Minimum
542 damages are \$50 per calendar day for up to 10 days, beginning on
543 the 11th working day after receipt of the written request. The
544 failure to permit inspection entitles any person prevailing in
545 an enforcement action to recover reasonable attorney fees from
546 the person in control of the records who, directly or
547 indirectly, knowingly denied access to the records. If the
548 requested records are posted on an association's website, the
549 association may fulfill its obligations as provided under this
550 paragraph by directing to the website all persons authorized to
551 request access to official records pursuant to this paragraph.

6-01522E-24

20241178__

552 b. In response to a statutorily compliant written request
553 to inspect records, the association must simultaneously provide
554 a checklist to the requestor of all records made available for
555 inspection and copying and a sworn affidavit in which the person
556 facilitating or handling the association's compliance with the
557 request attests to the veracity of the checklist provided to the
558 requestor. The checklist must also identify any of the
559 association's official records that were not made available to
560 the requestor. An association must maintain a checklist provided
561 under this sub-subparagraph for 7 years. An association
562 delivering a checklist and affidavit pursuant to this sub-
563 subparagraph creates a rebuttable presumption that the
564 association has complied with this paragraph.

565 2. Any director or member of the board or association or a
566 community association manager who knowingly, willfully, and
567 repeatedly violates subparagraph 1. commits a misdemeanor of the
568 second degree, punishable as provided in s. 775.082 or s.
569 775.083. For purposes of this subparagraph, the term
570 "repeatedly" means two or more violations within a 12-month
571 period.

572 3.2. Any person who knowingly or intentionally defaces or
573 destroys accounting records that are required by this chapter to
574 be maintained during the period for which such records are
575 required to be maintained, or who knowingly or intentionally
576 fails to create or maintain accounting records that are required
577 to be created or maintained, with the intent of causing harm to
578 the association or one or more of its members, is personally
579 subject to a civil penalty pursuant to s. 718.501(1)(d).

580 4. Any person who willfully and knowingly refuses to

6-01522E-24

20241178__

581 release or otherwise produce association records with the intent
582 to avoid or escape detection, arrest, trial, or punishment for
583 the commission of a crime, or to assist another person with such
584 avoidance or escape, commits a felony of the third degree,
585 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

586 5.3. The association shall maintain an adequate number of
587 copies of the declaration, articles of incorporation, bylaws,
588 and rules, and all amendments to each of the foregoing, as well
589 as the question and answer sheet as described in s. 718.504 and
590 year-end financial information required under this section, on
591 the condominium property to ensure their availability to unit
592 owners and prospective purchasers, and may charge its actual
593 costs for preparing and furnishing these documents to those
594 requesting the documents. An association shall allow a member or
595 his or her authorized representative to use a portable device,
596 including a smartphone, tablet, portable scanner, or any other
597 technology capable of scanning or taking photographs, to make an
598 electronic copy of the official records in lieu of the
599 association's providing the member or his or her authorized
600 representative with a copy of such records. The association may
601 not charge a member or his or her authorized representative for
602 the use of a portable device. Notwithstanding this paragraph,
603 the following records are not accessible to unit owners:

604 a. Any record protected by the lawyer-client privilege as
605 described in s. 90.502 and any record protected by the work-
606 product privilege, including a record prepared by an association
607 attorney or prepared at the attorney's express direction, which
608 reflects a mental impression, conclusion, litigation strategy,
609 or legal theory of the attorney or the association, and which

6-01522E-24

20241178__

610 was prepared exclusively for civil or criminal litigation or for
611 adversarial administrative proceedings, or which was prepared in
612 anticipation of such litigation or proceedings until the
613 conclusion of the litigation or proceedings.

614 b. Information obtained by an association in connection
615 with the approval of the lease, sale, or other transfer of a
616 unit.

617 c. Personnel records of association or management company
618 employees, including, but not limited to, disciplinary, payroll,
619 health, and insurance records. For purposes of this sub-
620 subparagraph, the term "personnel records" does not include
621 written employment agreements with an association employee or
622 management company, or budgetary or financial records that
623 indicate the compensation paid to an association employee.

624 d. Medical records of unit owners.

625 e. Social security numbers, driver license numbers, credit
626 card numbers, e-mail addresses, telephone numbers, facsimile
627 numbers, emergency contact information, addresses of a unit
628 owner other than as provided to fulfill the association's notice
629 requirements, and other personal identifying information of any
630 person, excluding the person's name, unit designation, mailing
631 address, property address, and any address, e-mail address, or
632 facsimile number provided to the association to fulfill the
633 association's notice requirements. Notwithstanding the
634 restrictions in this sub-subparagraph, an association may print
635 and distribute to unit owners a directory containing the name,
636 unit address, and all telephone numbers of each unit owner.
637 However, an owner may exclude his or her telephone numbers from
638 the directory by so requesting in writing to the association. An

6-01522E-24

20241178__

639 owner may consent in writing to the disclosure of other contact
640 information described in this sub-subparagraph. The association
641 is not liable for the inadvertent disclosure of information that
642 is protected under this sub-subparagraph if the information is
643 included in an official record of the association and is
644 voluntarily provided by an owner and not requested by the
645 association.

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

648 g. The software and operating system used by the
649 association which allow the manipulation of data, even if the
650 owner owns a copy of the same software used by the association.
651 The data is part of the official records of the association.

652 h. All affirmative acknowledgments made pursuant to s.
653 718.121(4)(c).

654 (d) The association shall prepare a question and answer
655 sheet as described in s. 718.504, and shall update it annually.

656 (e)1. The association or its authorized agent is not
657 required to provide a prospective purchaser or lienholder with
658 information about the condominium or the association other than
659 information or documents required by this chapter to be made
660 available or disclosed. The association or its authorized agent
661 may charge a reasonable fee to the prospective purchaser,
662 lienholder, or the current unit owner for providing good faith
663 responses to requests for information by or on behalf of a
664 prospective purchaser or lienholder, other than that required by
665 law, if the fee does not exceed \$150 plus the reasonable cost of
666 photocopying and any attorney's fees incurred by the association
667 in connection with the response.

6-01522E-24

20241178__

668 2. An association and its authorized agent are not liable
669 for providing such information in good faith pursuant to a
670 written request if the person providing the information includes
671 a written statement in substantially the following form: "The
672 responses herein are made in good faith and to the best of my
673 ability as to their accuracy."

674 (f) An outgoing board or committee member must relinquish
675 all official records and property of the association in his or
676 her possession or under his or her control to the incoming board
677 within 5 days after the election. The division shall impose a
678 civil penalty as set forth in s. 718.501(1)(d)6. against an
679 outgoing board or committee member who willfully and knowingly
680 fails to relinquish such records and property.

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

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

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

690 (II) A website, application, or web portal operated by a
691 third-party provider with whom the association owns, leases,
692 rents, or otherwise obtains the right to operate a web page,
693 subpage, web portal, collection of subpages or web portals, or
694 an application which is dedicated to the association's
695 activities and on which required notices, records, and documents
696 may be posted or made available by the association.

6-01522E-24

20241178__

697 b. The association's website or application must be
698 accessible through the Internet and must contain a subpage, web
699 portal, or other protected electronic location that is
700 inaccessible to the general public and accessible only to unit
701 owners and employees of the association.

702 c. Upon a unit owner's written request, the association
703 must provide the unit owner with a username and password and
704 access to the protected sections of the association's website or
705 application which contain any notices, records, or documents
706 that must be electronically provided.

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

709 a. The recorded declaration of condominium of each
710 condominium operated by the association and each amendment to
711 each declaration.

712 b. The recorded bylaws of the association and each
713 amendment to the bylaws.

714 c. The articles of incorporation of the association, or
715 other documents creating the association, and each amendment to
716 the articles of incorporation or other documents. The copy
717 posted pursuant to this sub-subparagraph must be a copy of the
718 articles of incorporation filed with the Department of State.

719 d. The rules of the association.

720 e. A list of all executory contracts or documents to which
721 the association is a party or under which the association or the
722 unit owners have an obligation or responsibility and, after
723 bidding for the related materials, equipment, or services has
724 closed, a list of bids received by the association within the
725 past year. Summaries of bids for materials, equipment, or

6-01522E-24

20241178__

726 services which exceed \$500 must be maintained on the website or
727 application for 1 year. In lieu of summaries, complete copies of
728 the bids may be posted.

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

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

734 h. The certification of each director required by s.
735 718.112(2)(d)4.b.

736 i. All contracts or transactions between the association
737 and any director, officer, corporation, firm, or association
738 that is not an affiliated condominium association or any other
739 entity in which an association director is also a director or
740 officer and financially interested.

741 j. Any contract or document regarding a conflict of
742 interest or possible conflict of interest as provided in ss.
743 468.4335, 468.436(2)(b)6., and 718.3027(3).

744 k. The notice of any unit owner meeting and the agenda for
745 the meeting, as required by s. 718.112(2)(d)3., no later than 14
746 days before the meeting. The notice must be posted in plain view
747 on the front page of the website or application, or on a
748 separate subpage of the website or application labeled "Notices"
749 which is conspicuously visible and linked from the front page.
750 The association must also post on its website or application any
751 document to be considered and voted on by the owners during the
752 meeting or any document listed on the agenda at least 7 days
753 before the meeting at which the document or the information
754 within the document will be considered.

6-01522E-24

20241178__

755 1. Notice of any board meeting, the agenda, and any other
756 document required for the meeting as required by s.
757 718.112(2)(c), which must be posted no later than the date
758 required for notice under s. 718.112(2)(c).

759 m. The inspection reports described in ss. 553.899 and
760 718.301(4)(p) and any other inspection report relating to a
761 structural or life safety inspection of condominium property.

762 n. The association's most recent structural integrity
763 reserve study, if applicable.

764 o. Copies of all building permits issued for ongoing or
765 planned construction.

766 3. The association shall ensure that the information and
767 records described in paragraph (c), which are not allowed to be
768 accessible to unit owners, are not posted on the association's
769 website or application. If protected information or information
770 restricted from being accessible to unit owners is included in
771 documents that are required to be posted on the association's
772 website or application, the association shall ensure the
773 information is redacted before posting the documents.

774 Notwithstanding the foregoing, the association or its agent is
775 not liable for disclosing information that is protected or
776 restricted under this paragraph unless such disclosure was made
777 with a knowing or intentional disregard of the protected or
778 restricted nature of such information.

779 4. The failure of the association to post information
780 required under subparagraph 2. is not in and of itself
781 sufficient to invalidate any action or decision of the
782 association's board or its committees.

783 (13) FINANCIAL REPORTING.—Within 90 days after the end of

6-01522E-24

20241178__

784 the fiscal year, or annually on a date provided in the bylaws,
785 the association shall prepare and complete, or contract for the
786 preparation and completion of, a financial report for the
787 preceding fiscal year. Within 21 days after the final financial
788 report is completed by the association or received from the
789 third party, but not later than 120 days after the end of the
790 fiscal year or other date as provided in the bylaws, the
791 association shall deliver mail to each unit owner, by United
792 States mail or personal delivery at the mailing address,
793 property address, e-mail address, or facsimile number provided
794 to fulfill the association's notice requirements at the address
795 last furnished to the association by the unit owner, or hand
796 deliver to each unit owner, a copy of the management letter or
797 opinion letter, as applicable, for the most recent financial
798 report, and ~~or~~ a notice that a copy of the most recent financial
799 report will be mailed or hand delivered to the unit owner,
800 without charge, within 5 business days after receipt of a
801 written request from the unit owner. The division shall adopt
802 rules setting forth uniform accounting principles and standards
803 to be used by all associations and addressing the financial
804 reporting requirements for multicondominium associations. The
805 rules must include, but not be limited to, standards for
806 presenting a summary of association reserves, including a good
807 faith estimate disclosing the annual amount of reserve funds
808 that would be necessary for the association to fully fund
809 reserves for each reserve item based on the straight-line
810 accounting method. This disclosure is not applicable to reserves
811 funded via the pooling method. In adopting such rules, the
812 division shall consider the number of members and annual

6-01522E-24

20241178__

813 revenues of an association. Financial reports shall be prepared
814 as follows:

815 (a) An association that meets the criteria of this
816 paragraph shall prepare a complete set of financial statements
817 in accordance with generally accepted accounting principles. The
818 financial statements must be based upon the association's total
819 annual revenues, as follows:

820 1. An association with total annual revenues of \$150,000 or
821 more, but less than \$300,000, shall prepare compiled financial
822 statements.

823 2. An association with total annual revenues of at least
824 \$300,000, but less than \$500,000, shall prepare reviewed
825 financial statements.

826 3. An association with total annual revenues of \$500,000 or
827 more shall prepare audited financial statements.

828 (b)1. An association with total annual revenues of less
829 than \$150,000 shall prepare a report of cash receipts and
830 expenditures.

831 2. A report of cash receipts and disbursements must
832 disclose the amount of receipts by accounts and receipt
833 classifications and the amount of expenses by accounts and
834 expense classifications, including, but not limited to, the
835 following, as applicable: costs for security, professional and
836 management fees and expenses, taxes, costs for recreation
837 facilities, expenses for refuse collection and utility services,
838 expenses for lawn care, costs for building maintenance and
839 repair, insurance costs, administration and salary expenses, and
840 reserves accumulated and expended for capital expenditures,
841 planned ~~deferred~~ maintenance, and any other category for which

6-01522E-24

20241178__

842 the association maintains reserves.

843 (c) An association may prepare, without a meeting of or
844 approval by the unit owners:

845 1. Compiled, reviewed, or audited financial statements, if
846 the association is required to prepare a report of cash receipts
847 and expenditures;

848 2. Reviewed or audited financial statements, if the
849 association is required to prepare compiled financial
850 statements; or

851 3. Audited financial statements if the association is
852 required to prepare reviewed financial statements.

853 (d) Unless an association invests funds pursuant to
854 paragraph (16) (b), and only if approved by a majority of the
855 voting interests present at a properly called meeting of the
856 association, an association may prepare:

857 1. A report of cash receipts and expenditures in lieu of a
858 compiled, reviewed, or audited financial statement;

859 2. A report of cash receipts and expenditures or a compiled
860 financial statement in lieu of a reviewed or audited financial
861 statement; or

862 3. A report of cash receipts and expenditures, a compiled
863 financial statement, or a reviewed financial statement in lieu
864 of an audited financial statement.

865

866 Such meeting and approval must occur before the end of the
867 fiscal year and is effective only for the fiscal year in which
868 the vote is taken. An association may not prepare a financial
869 report pursuant to this paragraph for consecutive fiscal years,
870 ~~except that the approval may also be effective for the following~~

6-01522E-24

20241178__

871 ~~fiscal year~~. If the developer has not turned over control of the
872 association, all unit owners, including the developer, may vote
873 on issues related to the preparation of the association's
874 financial reports, from the date of incorporation of the
875 association through the end of the second fiscal year after the
876 fiscal year in which the certificate of a surveyor and mapper is
877 recorded pursuant to s. 718.104(4)(e) or an instrument that
878 transfers title to a unit in the condominium which is not
879 accompanied by a recorded assignment of developer rights in
880 favor of the grantee of such unit is recorded, whichever occurs
881 first. Thereafter, all unit owners except the developer may vote
882 on such issues until control is turned over to the association
883 by the developer. Any audit or review prepared under this
884 section shall be paid for by the developer if done before
885 turnover of control of the association.

886 (e) A unit owner may provide written notice to the division
887 of the association's failure to mail or hand deliver him or her
888 a copy of the most recent financial report within 5 business
889 days after he or she submitted a written request to the
890 association for a copy of such report. If the division
891 determines that the association failed to mail or hand deliver a
892 copy of the most recent financial report to the unit owner, the
893 division shall provide written notice to the association that
894 the association must mail or hand deliver a copy of the most
895 recent financial report to the unit owner and the division
896 within 5 business days after it receives such notice from the
897 division. An association that fails to comply with the
898 division's request may not waive the financial reporting
899 requirement provided in paragraph (d) for the fiscal year in

6-01522E-24

20241178__

900 which the unit owner's request was made and the following fiscal
901 year. A financial report received by the division pursuant to
902 this paragraph shall be maintained, and the division shall
903 provide a copy of such report to an association member upon his
904 or her request.

905 (f) If an association invests funds pursuant to paragraph
906 (16) (b), the association must prepare financial statements
907 pursuant to paragraphs (a) and (b).

908 (15) DEBIT CARDS.—

909 (a) An association and its officers, directors, employees,
910 and agents may not use a debit card issued in the name of the
911 association, or billed directly to the association, for the
912 payment of any association expense.

913 (b) A person who uses ~~Use of~~ a debit card issued in the
914 name of the association, or billed directly to the association,
915 for any expense that is not a lawful obligation of the
916 association commits theft under s. 812.014. For the purposes of
917 this paragraph, the term "lawful obligation of the association"
918 means an obligation that has been properly preapproved by the
919 board and is reflected in the meeting minutes or the written
920 budget ~~may be prosecuted as credit card fraud pursuant to s.~~
921 ~~817.61.~~

922 (16) INVESTMENT OF ASSOCIATION FUNDS.—

923 (a) A board, in fulfilling its duty to manage operating and
924 reserve funds of an association, must use best efforts to make
925 prudent investment decisions that carefully consider risk and
926 return in an effort to maximize returns on invested funds.

927 (b) An association, including a multicondominium
928 association, may invest reserve funds in one or any combination

6-01522E-24

20241178__

929 of depository accounts at a community bank, savings bank,
930 commercial bank, savings and loan association, or credit union
931 if the respective account balance at any institution does not
932 exceed the amount of deposit insurance per account provided by
933 any agency of the Federal Government or as otherwise available.
934 Notwithstanding any declaration, only funds identified as
935 reserve funds may be invested pursuant to this subsection.

936 (c) The board shall create an investment committee composed
937 of at least two board members and two-unit non-board member unit
938 owners. The board shall also adopt rules for invested funds,
939 including, but not limited to, rules requiring periodic reviews
940 of any investment manager's performance, the development of an
941 investment policy statement, and that all meetings of the
942 investment committee be recorded and made part of the official
943 records of the association. The investment policy statement
944 developed pursuant to this paragraph must, at a minimum, address
945 risk, liquidity, and benchmark measurements; authorized classes
946 of investments; authorized investment mixes; limitations on
947 authority relating to investment transactions; requirements for
948 projected reserve expenditures within, at minimum, the next 24
949 months to be held in cash or cash equivalents; projected
950 expenditures relating to an inspection performed pursuant to s.
951 553.899; and protocols for proxy response.

952 (d) The investment committee shall recommend investment
953 advisers to the board, and the board shall select one of the
954 recommended investment advisers to provide services to the
955 association. Such investment advisers must be registered or have
956 notice filed under s. 517.12. The investment adviser and any
957 representative or association of the investment adviser may not

6-01522E-24

20241178__

958 be related by affinity or consanguinity to, or under common
959 ownership with, any board member, community management company,
960 reserve study provider, or unit owner. The investment adviser
961 shall comply with the prudent investor rule in s. 518.11. The
962 investment adviser shall act as a fiduciary to the association
963 in compliance with the standards set forth in the Employee
964 Retirement Income Security Act of 1974 at 29 U.S.C. s.
965 1104(a)(1)(A)-(C). In case of conflict with other provisions of
966 law authorizing investments, the investment and fiduciary
967 standards set forth in this paragraph must prevail. If at any
968 time the investment committee determines that an investment
969 adviser does not meet the requirements of this section, the
970 investment committee must recommend a replacement investment
971 adviser to the board.

972 (e) At least once each calendar year, or sooner if a
973 substantial financial obligation of the association becomes
974 known to the board, the association must provide the investment
975 adviser with the association's investment policy statement, the
976 most recent reserve study report, the association's structural
977 integrity report, and the financial reports prepared pursuant to
978 subsection (13). If there is no recent reserve study report, the
979 association must provide the investment adviser with a good
980 faith estimate disclosing the annual amount of reserve funds
981 necessary for the association to fully fund reserves for the
982 life of each reserve component and each component's
983 redundancies. The investment adviser shall annually review these
984 documents and provide the association with a portfolio
985 allocation model that is suitably structured and prudently
986 designed to match projected annual reserve fund requirements and

6-01522E-24

20241178__

987 liability, assets, and liquidity requirements. The investment
988 adviser shall prepare a funding projection for each reserve
989 component, including any of the component's redundancies. There
990 must be a minimum of 24 months of projected reserves in cash or
991 cash equivalents available to the association at all times.

992 (f) Portfolios managed by the investment adviser may
993 contain any type of investment necessary to meet the objectives
994 in the investment policy statement; however, portfolios may not
995 contain stocks, securities, or other obligations that the State
996 Board of Administration is prohibited from investing in under s.
997 215.471, s. 215.4725, or s. 215.473 or that state agencies are
998 prohibited from investing in under s. 215.472, as determined by
999 the investment adviser. Any funds invested by the investment
1000 adviser must be held in third party custodial accounts that are
1001 subject to insurance coverage by the Securities Investor
1002 Protection Corporation in an amount equal to or greater than the
1003 invested amount. The investment adviser may withdraw investment
1004 fees, expenses, and commissions from invested funds.

1005 (g) The investment adviser shall:

1006 1. Annually provide the association with a written
1007 certification of compliance with this section and a list of
1008 stocks, securities, and other obligations that are prohibited
1009 from being in association portfolios under paragraph (f); and

1010 2. Submit monthly, quarterly, and annual reports to the
1011 association which are prepared in accordance with established
1012 financial industry standards and in accordance with chapter 517.

1013 (h) Any principal, earnings, or interest managed under this
1014 subsection must be available at no cost or charge to the
1015 association within 15 business days after delivery of the

6-01522E-24

20241178__

1016 association's written or electronic request.

1017 (i) Unallocated income earned on reserve fund investments
1018 may be spent only on capital expenditures, planned maintenance,
1019 structural repairs, or other items for which the reserve
1020 accounts have been established. Any surplus of funds which
1021 exceeds the amount required to maintain reasonably funded
1022 reserves must be managed pursuant to s. 718.115.

1023 Section 7. Effective January 1, 2026, paragraph (g) of
1024 subsection (12) of section 718.111, Florida Statutes, as amended
1025 by this act, is amended to read:

1026 718.111 The association.—

1027 (12) OFFICIAL RECORDS.—

1028 (g)1. ~~By January 1, 2019,~~ An association managing a
1029 condominium with 25 ~~150~~ or more units which does not contain
1030 timeshare units shall post digital copies of the documents
1031 specified in subparagraph 2. on its website or make such
1032 documents available through an application that can be
1033 downloaded on a mobile device.

1034 a. The association's website or application must be:

1035 (I) An independent website, application, or web portal
1036 wholly owned and operated by the association; or

1037 (II) A website, application, or web portal operated by a
1038 third-party provider with whom the association owns, leases,
1039 rents, or otherwise obtains the right to operate a web page,
1040 subpage, web portal, collection of subpages or web portals, or
1041 an application which is dedicated to the association's
1042 activities and on which required notices, records, and documents
1043 may be posted or made available by the association.

1044 b. The association's website or application must be

6-01522E-24

20241178__

1045 accessible through the Internet and must contain a subpage, web
1046 portal, or other protected electronic location that is
1047 inaccessible to the general public and accessible only to unit
1048 owners and employees of the association.

1049 c. Upon a unit owner's written request, the association
1050 must provide the unit owner with a username and password and
1051 access to the protected sections of the association's website or
1052 application which contain any notices, records, or documents
1053 that must be electronically provided.

1054 2. A current copy of the following documents must be posted
1055 in digital format on the association's website or application:

1056 a. The recorded declaration of condominium of each
1057 condominium operated by the association and each amendment to
1058 each declaration.

1059 b. The recorded bylaws of the association and each
1060 amendment to the bylaws.

1061 c. The articles of incorporation of the association, or
1062 other documents creating the association, and each amendment to
1063 the articles of incorporation or other documents. The copy
1064 posted pursuant to this sub-subparagraph must be a copy of the
1065 articles of incorporation filed with the Department of State.

1066 d. The rules of the association.

1067 e. A list of all executory contracts or documents to which
1068 the association is a party or under which the association or the
1069 unit owners have an obligation or responsibility and, after
1070 bidding for the related materials, equipment, or services has
1071 closed, a list of bids received by the association within the
1072 past year. Summaries of bids for materials, equipment, or
1073 services which exceed \$500 must be maintained on the website or

6-01522E-24

20241178__

1074 application for 1 year. In lieu of summaries, complete copies of
1075 the bids may be posted.

1076 f. The annual budget required by s. 718.112(2)(f) and any
1077 proposed budget to be considered at the annual meeting.

1078 g. The financial report required by subsection (13) and any
1079 monthly income or expense statement to be considered at a
1080 meeting.

1081 h. The certification of each director required by s.
1082 718.112(2)(d)4.b.

1083 i. All contracts or transactions between the association
1084 and any director, officer, corporation, firm, or association
1085 that is not an affiliated condominium association or any other
1086 entity in which an association director is also a director or
1087 officer and financially interested.

1088 j. Any contract or document regarding a conflict of
1089 interest or possible conflict of interest as provided in ss.
1090 468.4335, 468.436(2)(b)6., and 718.3027(3).

1091 k. The notice of any unit owner meeting and the agenda for
1092 the meeting, as required by s. 718.112(2)(d)3., no later than 14
1093 days before the meeting. The notice must be posted in plain view
1094 on the front page of the website or application, or on a
1095 separate subpage of the website or application labeled "Notices"
1096 which is conspicuously visible and linked from the front page.
1097 The association must also post on its website or application any
1098 document to be considered and voted on by the owners during the
1099 meeting or any document listed on the agenda at least 7 days
1100 before the meeting at which the document or the information
1101 within the document will be considered.

1102 l. Notice of any board meeting, the agenda, and any other

6-01522E-24

20241178__

1103 document required for the meeting as required by s.
1104 718.112(2)(c), which must be posted no later than the date
1105 required for notice under s. 718.112(2)(c).

1106 m. The inspection reports described in ss. 553.899 and
1107 718.301(4)(p) and any other inspection report relating to a
1108 structural or life safety inspection of condominium property.

1109 n. The association's most recent structural integrity
1110 reserve study, if applicable.

1111 o. Copies of all building permits issued for ongoing or
1112 planned construction.

1113 3. The association shall ensure that the information and
1114 records described in paragraph (c), which are not allowed to be
1115 accessible to unit owners, are not posted on the association's
1116 website or application. If protected information or information
1117 restricted from being accessible to unit owners is included in
1118 documents that are required to be posted on the association's
1119 website or application, the association shall ensure the
1120 information is redacted before posting the documents.
1121 Notwithstanding the foregoing, the association or its agent is
1122 not liable for disclosing information that is protected or
1123 restricted under this paragraph unless such disclosure was made
1124 with a knowing or intentional disregard of the protected or
1125 restricted nature of such information.

1126 4. The failure of the association to post information
1127 required under subparagraph 2. is not in and of itself
1128 sufficient to invalidate any action or decision of the
1129 association's board or its committees.

1130 Section 8. Paragraphs (c), (d), (f), (g), (i), and (q) of
1131 subsection (2) of section 718.112, Florida Statutes, are

6-01522E-24

20241178__

1132 amended, and paragraph (r) is added to that section, to read:

1133 718.112 Bylaws.—

1134 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
1135 following and, if they do not do so, shall be deemed to include
1136 the following:

1137 (c) *Board of administration meetings.*—In a residential
1138 condominium association of more than 10 units, the board of
1139 administration shall meet at least four times each year for the
1140 purpose of responding to inquiries from members and informing
1141 members on the state of the condominium, including the status of
1142 any construction or repair projects, the status of the
1143 association's revenue and expenditures during the fiscal year,
1144 or other issues affecting the association. Meetings of the board
1145 of administration at which a quorum of the members is present
1146 are open to all unit owners. Members of the board of
1147 administration may use e-mail as a means of communication but
1148 may not cast a vote on an association matter via e-mail. A unit
1149 owner may tape record or videotape the meetings. The right to
1150 attend such meetings includes the right to speak at such
1151 meetings with reference to all designated agenda items. The
1152 division shall adopt reasonable rules governing the tape
1153 recording and videotaping of the meeting. The association may
1154 adopt written reasonable rules governing the frequency,
1155 duration, and manner of unit owner statements.

1156 1. Adequate notice of all board meetings, which must
1157 specifically identify all agenda items, must be posted
1158 conspicuously on the condominium property at least 48 continuous
1159 hours before the meeting except in an emergency. If 20 percent
1160 of the voting interests petition the board to address an item of

6-01522E-24

20241178__

1161 business, the board, within 60 days after receipt of the
1162 petition, shall place the item on the agenda at its next regular
1163 board meeting or at a special meeting called for that purpose.
1164 An item not included on the notice may be taken up on an
1165 emergency basis by a vote of at least a majority plus one of the
1166 board members. Such emergency action must be noticed and
1167 ratified at the next regular board meeting. Written notice of a
1168 meeting at which a nonemergency special assessment or an
1169 amendment to rules regarding unit use will be considered must be
1170 mailed, delivered, or electronically transmitted to the unit
1171 owners and posted conspicuously on the condominium property at
1172 least 14 days before the meeting. Evidence of compliance with
1173 this 14-day notice requirement must be made by an affidavit
1174 executed by the person providing the notice and filed with the
1175 official records of the association. ~~Notice of any meeting in
1176 which regular or special assessments against unit owners are to
1177 be considered must specifically state that assessments will be
1178 considered and provide the estimated cost and description of the
1179 purposes for such assessments.~~

1180 2. Upon notice to the unit owners, the board shall, by duly
1181 adopted rule, designate a specific location on the condominium
1182 property where all notices of board meetings must be posted. If
1183 there is no condominium property where notices can be posted,
1184 notices shall be mailed, delivered, or electronically
1185 transmitted to each unit owner at least 14 days before the
1186 meeting. In lieu of or in addition to the physical posting of
1187 the notice on the condominium property, the association may, by
1188 reasonable rule, adopt a procedure for conspicuously posting and
1189 repeatedly broadcasting the notice and the agenda on a closed-

6-01522E-24

20241178__

1190 circuit cable television system serving the condominium
1191 association. However, if broadcast notice is used in lieu of a
1192 notice physically posted on condominium property, the notice and
1193 agenda must be broadcast at least four times every broadcast
1194 hour of each day that a posted notice is otherwise required
1195 under this section. If broadcast notice is provided, the notice
1196 and agenda must be broadcast in a manner and for a sufficient
1197 continuous length of time so as to allow an average reader to
1198 observe the notice and read and comprehend the entire content of
1199 the notice and the agenda. In addition to any of the authorized
1200 means of providing notice of a meeting of the board, the
1201 association may, by rule, adopt a procedure for conspicuously
1202 posting the meeting notice and the agenda on a website serving
1203 the condominium association for at least the minimum period of
1204 time for which a notice of a meeting is also required to be
1205 physically posted on the condominium property. Any rule adopted
1206 shall, in addition to other matters, include a requirement that
1207 the association send an electronic notice in the same manner as
1208 a notice for a meeting of the members, which must include a
1209 hyperlink to the website where the notice is posted, to unit
1210 owners whose e-mail addresses are included in the association's
1211 official records.

1212 3. Notice of any meeting in which regular or special
1213 assessments against unit owners are to be considered must
1214 specifically state that assessments will be considered and
1215 provide the estimated cost and description of the purposes for
1216 such assessments. If an agenda item relates to the approval of a
1217 contract for goods or services, a copy of the contract must be
1218 provided with the notice.

6-01522E-24

20241178__

1219 ~~4.2.~~ Meetings of a committee to take final action on behalf
1220 of the board or make recommendations to the board regarding the
1221 association budget are subject to this paragraph. Meetings of a
1222 committee that does not take final action on behalf of the board
1223 or make recommendations to the board regarding the association
1224 budget are subject to this section, unless those meetings are
1225 exempted from this section by the bylaws of the association.

1226 ~~5.3.~~ Notwithstanding any other law, the requirement that
1227 board meetings and committee meetings be open to the unit owners
1228 does not apply to:

1229 a. Meetings between the board or a committee and the
1230 association's attorney, with respect to proposed or pending
1231 litigation, if the meeting is held for the purpose of seeking or
1232 rendering legal advice; or

1233 b. Board meetings held for the purpose of discussing
1234 personnel matters.

1235 (d) *Unit owner meetings.*—

1236 1. An annual meeting of the unit owners must be held at the
1237 location provided in the association bylaws and, if the bylaws
1238 are silent as to the location, the meeting must be held within
1239 45 miles of the condominium property. However, such distance
1240 requirement does not apply to an association governing a
1241 timeshare condominium.

1242 2. Unless the bylaws provide otherwise, a vacancy on the
1243 board caused by the expiration of a director's term must be
1244 filled by electing a new board member, and the election must be
1245 by secret ballot. An election is not required if the number of
1246 vacancies equals or exceeds the number of candidates. For
1247 purposes of this paragraph, the term "candidate" means an

6-01522E-24

20241178__

1248 eligible person who has timely submitted the written notice, as
1249 described in sub-subparagraph 4.a., of his or her intention to
1250 become a candidate. Except in a timeshare or nonresidential
1251 condominium, or if the staggered term of a board member does not
1252 expire until a later annual meeting, or if all members' terms
1253 would otherwise expire but there are no candidates, the terms of
1254 all board members expire at the annual meeting, and such members
1255 may stand for reelection unless prohibited by the bylaws. Board
1256 members may serve terms longer than 1 year if permitted by the
1257 bylaws or articles of incorporation. A board member may not
1258 serve more than 8 consecutive years unless approved by an
1259 affirmative vote of unit owners representing two-thirds of all
1260 votes cast in the election or unless there are not enough
1261 eligible candidates to fill the vacancies on the board at the
1262 time of the vacancy. Only board service that occurs on or after
1263 July 1, 2018, may be used when calculating a board member's term
1264 limit. If the number of board members whose terms expire at the
1265 annual meeting equals or exceeds the number of candidates, the
1266 candidates become members of the board effective upon the
1267 adjournment of the annual meeting. Unless the bylaws provide
1268 otherwise, any remaining vacancies shall be filled by the
1269 affirmative vote of the majority of the directors making up the
1270 newly constituted board even if the directors constitute less
1271 than a quorum or there is only one director. In a residential
1272 condominium association of more than 10 units or in a
1273 residential condominium association that does not include
1274 timeshare units or timeshare interests, co-owners of a unit may
1275 not serve as members of the board of directors at the same time
1276 unless they own more than one unit or unless there are not

6-01522E-24

20241178__

1277 enough eligible candidates to fill the vacancies on the board at
1278 the time of the vacancy. A unit owner in a residential
1279 condominium desiring to be a candidate for board membership must
1280 comply with sub-subparagraph 4.a. and must be eligible to be a
1281 candidate to serve on the board of directors at the time of the
1282 deadline for submitting a notice of intent to run in order to
1283 have his or her name listed as a proper candidate on the ballot
1284 or to serve on the board. A person who has been suspended or
1285 removed by the division under this chapter, or who is delinquent
1286 in the payment of any assessment due to the association, is not
1287 eligible to be a candidate for board membership and may not be
1288 listed on the ballot. For purposes of this paragraph, a person
1289 is delinquent if a payment is not made by the due date as
1290 specifically identified in the declaration of condominium,
1291 bylaws, or articles of incorporation. If a due date is not
1292 specifically identified in the declaration of condominium,
1293 bylaws, or articles of incorporation, the due date is the first
1294 day of the assessment period. A person who has been convicted of
1295 any felony in this state or in a United States District or
1296 Territorial Court, or who has been convicted of any offense in
1297 another jurisdiction which would be considered a felony if
1298 committed in this state, is not eligible for board membership
1299 unless such felon's civil rights have been restored for at least
1300 5 years as of the date such person seeks election to the board.
1301 The validity of an action by the board is not affected if it is
1302 later determined that a board member is ineligible for board
1303 membership due to having been convicted of a felony. This
1304 subparagraph does not limit the term of a member of the board of
1305 a nonresidential or timeshare condominium.

6-01522E-24

20241178__

1306 3. The bylaws must provide the method of calling meetings
1307 of unit owners, including annual meetings. Written notice of an
1308 annual meeting must include an agenda; be mailed, hand
1309 delivered, or electronically transmitted to each unit owner at
1310 least 14 days before the annual meeting; and be posted in a
1311 conspicuous place on the condominium property or association
1312 property at least 14 continuous days before the annual meeting.
1313 Written notice of a meeting other than an annual meeting must
1314 include an agenda; be mailed, hand delivered, or electronically
1315 transmitted to each unit owner; and be posted in a conspicuous
1316 place on the condominium property or association property within
1317 the timeframe specified in the bylaws. If the bylaws do not
1318 specify a timeframe for written notice of a meeting other than
1319 an annual meeting, notice must be provided at least 14
1320 continuous days before the meeting. Upon notice to the unit
1321 owners, the board shall, by duly adopted rule, designate a
1322 specific location on the condominium property or association
1323 property where all notices of unit owner meetings must be
1324 posted. This requirement does not apply if there is no
1325 condominium property for posting notices. In lieu of, or in
1326 addition to, the physical posting of meeting notices, the
1327 association may, by reasonable rule, adopt a procedure for
1328 conspicuously posting and repeatedly broadcasting the notice and
1329 the agenda on a closed-circuit cable television system serving
1330 the condominium association. However, if broadcast notice is
1331 used in lieu of a notice posted physically on the condominium
1332 property, the notice and agenda must be broadcast at least four
1333 times every broadcast hour of each day that a posted notice is
1334 otherwise required under this section. If broadcast notice is

6-01522E-24

20241178__

1335 provided, the notice and agenda must be broadcast in a manner
1336 and for a sufficient continuous length of time so as to allow an
1337 average reader to observe the notice and read and comprehend the
1338 entire content of the notice and the agenda. In addition to any
1339 of the authorized means of providing notice of a meeting of the
1340 board, the association may, by rule, adopt a procedure for
1341 conspicuously posting the meeting notice and the agenda on a
1342 website serving the condominium association for at least the
1343 minimum period of time for which a notice of a meeting is also
1344 required to be physically posted on the condominium property.
1345 Any rule adopted shall, in addition to other matters, include a
1346 requirement that the association send an electronic notice in
1347 the same manner as a notice for a meeting of the members, which
1348 must include a hyperlink to the website where the notice is
1349 posted, to unit owners whose e-mail addresses are included in
1350 the association's official records. Unless a unit owner waives
1351 in writing the right to receive notice of the annual meeting,
1352 such notice must be hand delivered, mailed, or electronically
1353 transmitted to each unit owner. Notice for meetings and notice
1354 for all other purposes must be mailed to each unit owner at the
1355 address last furnished to the association by the unit owner, or
1356 hand delivered to each unit owner. However, if a unit is owned
1357 by more than one person, the association must provide notice to
1358 the address that the developer identifies for that purpose and
1359 thereafter as one or more of the owners of the unit advise the
1360 association in writing, or if no address is given or the owners
1361 of the unit do not agree, to the address provided on the deed of
1362 record. An officer of the association, or the manager or other
1363 person providing notice of the association meeting, must provide

6-01522E-24

20241178__

1364 an affidavit or United States Postal Service certificate of
1365 mailing, to be included in the official records of the
1366 association affirming that the notice was mailed or hand
1367 delivered in accordance with this provision.

1368 4. The members of the board of a residential condominium
1369 shall be elected by written ballot or voting machine. Proxies
1370 may not be used in electing the board in general elections or
1371 elections to fill vacancies caused by recall, resignation, or
1372 otherwise, unless otherwise provided in this chapter. This
1373 subparagraph does not apply to an association governing a
1374 timeshare condominium.

1375 a. At least 60 days before a scheduled election, the
1376 association shall mail, deliver, or electronically transmit, by
1377 separate association mailing or included in another association
1378 mailing, delivery, or transmission, including regularly
1379 published newsletters, to each unit owner entitled to a vote, a
1380 first notice of the date of the election. A unit owner or other
1381 eligible person desiring to be a candidate for the board must
1382 give written notice of his or her intent to be a candidate to
1383 the association at least 40 days before a scheduled election.
1384 Together with the written notice and agenda as set forth in
1385 subparagraph 3., the association shall mail, deliver, or
1386 electronically transmit a second notice of the election to all
1387 unit owners entitled to vote, together with a ballot that lists
1388 all candidates not less than 14 days or more than 34 days before
1389 the date of the election. Upon request of a candidate, an
1390 information sheet, no larger than 8 1/2 inches by 11 inches,
1391 which must be furnished by the candidate at least 35 days before
1392 the election, must be included with the mailing, delivery, or

6-01522E-24

20241178__

1393 transmission of the ballot, with the costs of mailing, delivery,
1394 or electronic transmission and copying to be borne by the
1395 association. The association is not liable for the contents of
1396 the information sheets prepared by the candidates. In order to
1397 reduce costs, the association may print or duplicate the
1398 information sheets on both sides of the paper. The division
1399 shall by rule establish voting procedures consistent with this
1400 sub-subparagraph, including rules establishing procedures for
1401 giving notice by electronic transmission and rules providing for
1402 the secrecy of ballots. Elections shall be decided by a
1403 plurality of ballots cast. There is no quorum requirement;
1404 however, at least 20 percent of the eligible voters must cast a
1405 ballot in order to have a valid election. A unit owner may not
1406 authorize any other person to vote his or her ballot, and any
1407 ballots improperly cast are invalid. A unit owner who violates
1408 this provision may be fined by the association in accordance
1409 with s. 718.303. A unit owner who needs assistance in casting
1410 the ballot for the reasons stated in s. 101.051 may obtain such
1411 assistance. The regular election must occur on the date of the
1412 annual meeting. Notwithstanding this sub-subparagraph, an
1413 election is not required unless more candidates file notices of
1414 intent to run or are nominated than board vacancies exist.

1415 b. A director of a ~~Within 90 days after being elected or~~
1416 ~~appointed to the~~ board of an association of a residential
1417 condominium, ~~each newly elected or appointed director~~ shall:

1418 (I) Certify in writing to the secretary of the association
1419 that he or she has read the association's declaration of
1420 condominium, articles of incorporation, bylaws, and current
1421 written policies; that he or she will work to uphold such

6-01522E-24

20241178__

1422 documents and policies to the best of his or her ability; and
1423 that he or she will faithfully discharge his or her fiduciary
1424 responsibility to the association's members. ~~In lieu of this~~
1425 ~~written certification, within 90 days after being elected or~~
1426 ~~appointed to the board, the newly elected or appointed director~~
1427 ~~may~~

1428 (II) Submit to the secretary of the association a
1429 certificate of having satisfactorily completed the educational
1430 curriculum administered by the division or a division-approved
1431 condominium education provider within 1 year before or 90 days
1432 after the date of election or appointment.

1433
1434 Each newly elected or appointed director must submit the written
1435 certification and educational certificate to the secretary of
1436 the association within 1 year before being elected or appointed
1437 or within 90 days after the date of election or appointment. A
1438 director of an association of a residential condominium who was
1439 elected or appointed before July 1, 2024, must comply with the
1440 written certification and educational certificate requirements
1441 in this sub-subparagraph by June 30, 2025. The written
1442 certification and ~~or~~ educational certificate is valid for 7
1443 years from the date of issuance and does not have to be
1444 resubmitted as long as the director serves on the board without
1445 interruption during the 7-year period. A director who is
1446 appointed by the developer may satisfy the educational
1447 certificate requirement in sub-sub-subparagraph (II) for any
1448 subsequent appointment to a board by a developer within 7 years
1449 after the date of issuance of the most recent educational
1450 certificate, including any interruption of service on a board or

6-01522E-24

20241178__

1451 appointment to a board in another association within that 7-year
1452 period. One year after submission of the most recent written
1453 certification and educational certificate, and annually
1454 thereafter, a director of an association of a residential
1455 condominium must submit to the secretary of the association a
1456 certificate of having satisfactorily completed an educational
1457 curriculum administered by the division, or a division-approved
1458 condominium education provider, relating to any recent changes
1459 to this chapter and the related administrative rules during the
1460 past year. A director of an association of a residential
1461 condominium who fails to timely file the written certification
1462 and ~~or~~ educational certificate is suspended from service on the
1463 board until he or she complies with this sub-subparagraph. The
1464 board may temporarily fill the vacancy during the period of
1465 suspension. The secretary shall cause the association to retain
1466 a director's written certification and ~~or~~ educational
1467 certificate for inspection by the members for 5 years after a
1468 director's election or the duration of the director's
1469 uninterrupted tenure, whichever is longer. Failure to have such
1470 written certification and ~~or~~ educational certificate on file
1471 does not affect the validity of any board action.

1472 c. Any challenge to the election process must be commenced
1473 within 60 days after the election results are announced.

1474 5. Any approval by unit owners called for by this chapter
1475 or the applicable declaration or bylaws, including, but not
1476 limited to, the approval requirement in s. 718.111(8), must be
1477 made at a duly noticed meeting of unit owners and is subject to
1478 all requirements of this chapter or the applicable condominium
1479 documents relating to unit owner decisionmaking, except that

6-01522E-24

20241178__

1480 unit owners may take action by written agreement, without
1481 meetings, on matters for which action by written agreement
1482 without meetings is expressly allowed by the applicable bylaws
1483 or declaration or any law that provides for such action.

1484 6. Unit owners may waive notice of specific meetings if
1485 allowed by the applicable bylaws or declaration or any law.
1486 Notice of meetings of the board of administration; unit owner
1487 meetings, except unit owner meetings called to recall board
1488 members under paragraph (1); and committee meetings may be given
1489 by electronic transmission to unit owners who consent to receive
1490 notice by electronic transmission. A unit owner who consents to
1491 receiving notices by electronic transmission is solely
1492 responsible for removing or bypassing filters that block receipt
1493 of mass e-mails sent to members on behalf of the association in
1494 the course of giving electronic notices.

1495 7. Unit owners have the right to participate in meetings of
1496 unit owners with reference to all designated agenda items.
1497 However, the association may adopt reasonable rules governing
1498 the frequency, duration, and manner of unit owner participation.

1499 8. A unit owner may tape record or videotape a meeting of
1500 the unit owners subject to reasonable rules adopted by the
1501 division.

1502 9. Unless otherwise provided in the bylaws, any vacancy
1503 occurring on the board before the expiration of a term may be
1504 filled by the affirmative vote of the majority of the remaining
1505 directors, even if the remaining directors constitute less than
1506 a quorum, or by the sole remaining director. In the alternative,
1507 a board may hold an election to fill the vacancy, in which case
1508 the election procedures must conform to sub-subparagraph 4.a.

6-01522E-24

20241178__

1509 unless the association governs 10 units or fewer and has opted
1510 out of the statutory election process, in which case the bylaws
1511 of the association control. Unless otherwise provided in the
1512 bylaws, a board member appointed or elected under this section
1513 shall fill the vacancy for the unexpired term of the seat being
1514 filled. Filling vacancies created by recall is governed by
1515 paragraph (1) and rules adopted by the division.

1516 10. This chapter does not limit the use of general or
1517 limited proxies, require the use of general or limited proxies,
1518 or require the use of a written ballot or voting machine for any
1519 agenda item or election at any meeting of a timeshare
1520 condominium association or nonresidential condominium
1521 association.

1522
1523 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
1524 association of 10 or fewer units may, by affirmative vote of a
1525 majority of the total voting interests, provide for different
1526 voting and election procedures in its bylaws, which may be by a
1527 proxy specifically delineating the different voting and election
1528 procedures. The different voting and election procedures may
1529 provide for elections to be conducted by limited or general
1530 proxy.

1531 (f) *Annual budget.*—

1532 1. The proposed annual budget of estimated revenues and
1533 expenses must be detailed and must show the amounts budgeted by
1534 accounts and expense classifications, including, at a minimum,
1535 any applicable expenses listed in s. 718.504(21). The board
1536 shall adopt the annual budget at least 14 days before the start
1537 of the association's fiscal year. In the event that the board

6-01522E-24

20241178__

1538 fails to timely adopt the annual budget a second time, it is
1539 deemed a minor violation and the prior year's budget shall
1540 continue in effect until a new budget is adopted. A
1541 multicondominium association must adopt a separate budget of
1542 common expenses for each condominium the association operates
1543 and must adopt a separate budget of common expenses for the
1544 association. In addition, if the association maintains limited
1545 common elements with the cost to be shared only by those
1546 entitled to use the limited common elements as provided for in
1547 s. 718.113(1), the budget or a schedule attached to it must show
1548 the amount budgeted for this maintenance. If, after turnover of
1549 control of the association to the unit owners, any of the
1550 expenses listed in s. 718.504(21) are not applicable, they do
1551 not need to be listed.

1552 2.a. In addition to annual operating expenses, the budget
1553 must include reserve accounts for capital expenditures and
1554 planned ~~deferred~~ maintenance. These accounts must include, but
1555 are not limited to, roof replacement, building painting, and
1556 pavement resurfacing, regardless of the amount of planned
1557 ~~deferred~~ maintenance expense or replacement cost, and any other
1558 item that has a planned ~~deferred~~ maintenance expense or
1559 replacement cost that exceeds \$10,000. The amount to be reserved
1560 must be computed using a formula based upon estimated remaining
1561 useful life and estimated replacement cost or planned ~~deferred~~
1562 maintenance expense of the reserve item. In a budget adopted by
1563 an association that is required to obtain a structural integrity
1564 reserve study, reserves must be maintained for the items
1565 identified in paragraph (g) for which the association is
1566 responsible pursuant to the declaration of condominium, and the

6-01522E-24

20241178__

1567 reserve amount for such items must be based on the findings and
1568 recommendations of the association's most recent structural
1569 integrity reserve study. With respect to items for which an
1570 estimate of useful life is not readily ascertainable or with an
1571 estimated remaining useful life of greater than 25 years, an
1572 association is not required to reserve replacement costs for
1573 such items, but an association must reserve the amount of
1574 planned ~~deferred~~ maintenance expense, if any, which is
1575 recommended by the structural integrity reserve study for such
1576 items. The association may adjust replacement reserve
1577 assessments annually to take into account an inflation
1578 adjustment and any changes in estimates or extension of the
1579 useful life of a reserve item caused by planned ~~deferred~~
1580 maintenance. The members of a unit-owner-controlled association
1581 may determine, by a majority vote of the total voting interests
1582 of the association, to provide no reserves or less reserves than
1583 required by this subsection. For a budget adopted on or after
1584 December 31, 2024, the members of a unit-owner-controlled
1585 association that must obtain a structural integrity reserve
1586 study may not determine to provide no reserves or less reserves
1587 than required by this subsection for items listed in paragraph
1588 (g), except that members of an association operating a
1589 multicondominium may determine to provide no reserves or less
1590 reserves than required by this subsection if an alternative
1591 funding method has been approved by the division. Additionally,
1592 members of an association may determine to provide no reserves
1593 or less reserves than required by this subsection if the
1594 condominium building or units are unsafe and uninhabitable due
1595 to substantial damage or loss as determined by the local

6-01522E-24

20241178__

1596 enforcement agency, as defined in s. 553.71(5), and it is in the
1597 best interests of the association to use revenues and existing
1598 reserve funds to perform necessary repairs to make the building
1599 or units safe and habitable, but an association may not opt for
1600 such a waiver of reserve requirements after the building or
1601 units have been declared safe for occupancy by the local
1602 enforcement agency.

1603 b. Before turnover of control of an association by a
1604 developer to unit owners other than a developer under s.
1605 718.301, the developer-controlled association may not vote to
1606 waive the reserves or reduce funding of the reserves. If a
1607 meeting of the unit owners has been called to determine whether
1608 to waive or reduce the funding of reserves and no such result is
1609 achieved or a quorum is not attained, the reserves included in
1610 the budget shall go into effect. After the turnover, the
1611 developer may vote its voting interest to waive or reduce the
1612 funding of reserves.

1613 3. Reserve funds and any interest or earnings accruing
1614 thereon shall remain in the reserve account or accounts, and may
1615 be used only for authorized reserve expenditures unless their
1616 use for other purposes is approved in advance by a majority vote
1617 of all the total voting interests of the association. Before
1618 turnover of control of an association by a developer to unit
1619 owners other than the developer pursuant to s. 718.301, the
1620 developer-controlled association may not vote to use reserves
1621 for purposes other than those for which they were intended. For
1622 a budget adopted on or after December 31, 2024, members of a
1623 unit-owner-controlled association that must obtain a structural
1624 integrity reserve study may not vote to use reserve funds, or

6-01522E-24

20241178__

1625 any interest accruing thereon, for any other purpose other than
1626 the replacement or planned ~~deferred~~ maintenance costs of the
1627 components listed in paragraph (g).

1628 4. The only voting interests that are eligible to vote on
1629 questions that involve waiving or reducing the funding of
1630 reserves, or using existing reserve funds for purposes other
1631 than purposes for which the reserves were intended, are the
1632 voting interests of the units subject to assessment to fund the
1633 reserves in question. Proxy questions relating to waiving or
1634 reducing the funding of reserves or using existing reserve funds
1635 for purposes other than purposes for which the reserves were
1636 intended must contain the following statement in capitalized,
1637 bold letters in a font size larger than any other used on the
1638 face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN
1639 PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY
1640 RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED
1641 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

1642 (g) *Structural integrity reserve study.*—

1643 1. A residential condominium association must have a
1644 structural integrity reserve study completed at least every 10
1645 years after the condominium's creation for each building on the
1646 condominium property that is three stories or higher in height,
1647 as determined by the Florida Building Code, which includes, at a
1648 minimum, a study of the following items as related to the
1649 structural integrity and safety of the building:

1650 a. Roof.

1651 b. Structure, including load-bearing walls and other
1652 primary structural members and primary structural systems as
1653 those terms are defined in s. 627.706.

6-01522E-24

20241178__

- 1654 c. Fireproofing and fire protection systems.
1655 d. Plumbing.
1656 e. Electrical systems.
1657 f. Waterproofing and exterior painting.
1658 g. Windows and exterior doors.
1659 h. Any other item that has a planned ~~deferred~~ maintenance
1660 expense or replacement cost that exceeds \$10,000 and the failure
1661 to replace or maintain such item negatively affects the items
1662 listed in sub-subparagraphs a.-g., as determined by the visual
1663 inspection portion of the structural integrity reserve study.
- 1664 2. A structural integrity reserve study is based on a
1665 visual inspection of the condominium property. A structural
1666 integrity reserve study may be performed by any person qualified
1667 to perform such study. However, the visual inspection portion of
1668 the structural integrity reserve study must be performed or
1669 verified by an engineer licensed under chapter 471, an architect
1670 licensed under chapter 481, or a person certified as a reserve
1671 specialist or professional reserve analyst by the Community
1672 Associations Institute or the Association of Professional
1673 Reserve Analysts.
- 1674 3. At a minimum, a structural integrity reserve study must
1675 identify each item of the condominium property being visually
1676 inspected, state the estimated remaining useful life and the
1677 estimated replacement cost or planned ~~deferred~~ maintenance
1678 expense of each item of the condominium property being visually
1679 inspected, and provide a reserve funding schedule with a
1680 recommended annual reserve amount that achieves the estimated
1681 replacement cost or planned ~~deferred~~ maintenance expense of each
1682 item of condominium property being visually inspected by the end

6-01522E-24

20241178__

1683 of the estimated remaining useful life of the item. The
1684 structural integrity reserve study may recommend that reserves
1685 do not need to be maintained for any item for which an estimate
1686 of useful life and an estimate of replacement cost cannot be
1687 determined, or the study may recommend a planned ~~deferred~~
1688 maintenance expense amount for such item. The structural
1689 integrity reserve study may recommend that reserves for
1690 replacement costs do not need to be maintained for any item with
1691 an estimated remaining useful life of greater than 25 years, but
1692 the study may recommend a planned ~~deferred~~ maintenance expense
1693 amount for such item. The structural integrity reserve study may
1694 recommend a temporary pause in reserve funding or reduced
1695 reserve funding if the condominium building or units are unsafe
1696 and uninhabitable due to substantial damage or loss as
1697 determined by the local enforcement agency, as defined in s.
1698 533.71(5), and it is in the best interests of the association to
1699 use revenues and existing reserve funds to perform necessary
1700 repairs to make the building safe and habitable, but the reserve
1701 funding schedule may not pause reserve funding after the
1702 building has been declared safe for occupancy by the local
1703 enforcement agency.

1704 4. This paragraph does not apply to buildings less than
1705 three stories in height; single-family, two-family, or three-
1706 family dwellings with three or fewer habitable stories above
1707 ground; any portion or component of a building that has not been
1708 submitted to the condominium form of ownership; or any portion
1709 or component of a building that is maintained by a party other
1710 than the association.

1711 5. Before a developer turns over control of an association

6-01522E-24

20241178__

1712 to unit owners other than the developer, the developer must have
1713 a turnover inspection report in compliance with s. 718.301(4) (p)
1714 and (q) for each building on the condominium property that is
1715 three stories or higher in height.

1716 6. Associations existing on or before July 1, 2022, which
1717 are controlled by unit owners other than the developer, must
1718 have a structural integrity reserve study completed by December
1719 31, 2024, for each building on the condominium property that is
1720 three stories or higher in height. An association that is
1721 required to complete a milestone inspection in accordance with
1722 s. 553.899 on or before December 31, 2026, may complete the
1723 structural integrity reserve study simultaneously with the
1724 milestone inspection. In no event may the structural integrity
1725 reserve study be completed after December 31, 2026.

1726 7. If the milestone inspection required by s. 553.899, or
1727 an inspection completed for a similar local requirement, was
1728 performed within the past 5 years and meets the requirements of
1729 this paragraph, such inspection may be used in place of the
1730 visual inspection portion of the structural integrity reserve
1731 study.

1732 8. If the officers or directors of an association willfully
1733 and knowingly fail to complete a structural integrity reserve
1734 study pursuant to this paragraph, such failure is a breach of an
1735 officer's and director's fiduciary relationship to the unit
1736 owners under s. 718.111(1).

1737 9. Within 45 days after receiving the structural integrity
1738 reserve study, the association must distribute a copy of the
1739 study to each unit owner or deliver to each unit owner a notice
1740 that the completed study is available for inspection and copying

6-01522E-24

20241178__

1741 upon a written request. Distribution of a copy of the study or
1742 notice must be made by United States mail or personal delivery
1743 at the mailing address, property address, or any other address
1744 of the owner provided to fulfill the association's notice
1745 requirements under this chapter, or by electronic transmission
1746 to the e-mail address or facsimile number provided to fulfill
1747 the association's notice requirements to unit owners who
1748 previously consented to receive notice by electronic
1749 transmission.

1750 (i) *Assessments.*—

1751 1. The manner of collecting from the unit owners their
1752 shares of the common expenses shall be stated in the bylaws.
1753 Assessments shall be made against units not less frequently than
1754 quarterly in an amount which is not less than that required to
1755 provide funds in advance for payment of all of the anticipated
1756 current operating expenses and for all of the unpaid operating
1757 expenses previously incurred. Nothing in this paragraph shall
1758 preclude the right of an association to accelerate assessments
1759 of an owner delinquent in payment of common expenses.
1760 Accelerated assessments shall be due and payable on the date the
1761 claim of lien is filed. Such accelerated assessments shall
1762 include the amounts due for the remainder of the budget year in
1763 which the claim of lien was filed.

1764 2.a. In lieu of a special assessment to fund needed repair,
1765 maintenance, or replacement of a building component recommended
1766 by a milestone inspection required under s. 553.899 or a similar
1767 local inspection requirement or a structural integrity reserve
1768 study, or unanticipated repairs, the board of a unit-owner-
1769 controlled association may approve contingent special

6-01522E-24

20241178__

1770 assessments against each unit to secure a line of credit for the
1771 association to provide available funding to pay for such repair,
1772 maintenance, or replacement. The approved line of credit must be
1773 made available to the board for the funding of the needed
1774 repair, maintenance, or replacement. The association must record
1775 a declaration of special assessments evidencing the levy of such
1776 special assessments in the public records.

1777 b. Funding from the line of credit must be immediately
1778 available for access by the board to fund required repair,
1779 maintenance, or replacement expenses without further approval by
1780 the members of the association. At the option of a unit owner,
1781 the special assessment may be paid in full at the time it
1782 becomes due or the payment may be amortized over a term of years
1783 as provided for by the line of credit. However, a unit owner may
1784 pay the remaining balance of the special assessment at any time
1785 during the amortization period.

1786 c. For a budget adopted on or before December 31, 2029, an
1787 association may secure a line of credit and assess a contingent
1788 special assessment as provided in this subparagraph to meet the
1789 reserve funding schedule recommended by the structural integrity
1790 reserve study.

1791 d. Except as authorized by sub-subparagraph c., a line of
1792 credit and contingent special assessment in this paragraph may
1793 not be used as an alternative to the association's reserve
1794 funding requirements in paragraph (f).

1795 (q) Director or officer offenses.—

1796 1. A director or an officer charged by information or
1797 indictment with any of the following crimes must be removed from
1798 office:

6-01522E-24

20241178__

1799 a. Forgery of a ballot envelope or voting certificate used
1800 in a condominium association election as provided in s. 831.01.

1801 b. Theft or embezzlement involving the association's funds
1802 or property as provided in s. 812.014.

1803 c. Destruction of, or the refusal to allow inspection or
1804 copying of, an official record of a condominium association
1805 which is accessible to unit owners within the time periods
1806 required by general law, in furtherance of any crime. Such act
1807 constitutes tampering with physical evidence as provided in s.
1808 918.13.

1809 d. Obstruction of justice under chapter 843.

1810 2. The board shall fill the vacancy in accordance with
1811 paragraph (2) (d) a felony theft or embezzlement offense
1812 involving the association's funds or property must be removed
1813 from office, creating a vacancy in the office to be filled
1814 according to law until the end of the period of the suspension
1815 or the end of the director's term of office, whichever occurs
1816 first. While such director or officer has such criminal charge
1817 pending, he or she may not be appointed or elected to a position
1818 as a director or officer of any association and may not have
1819 access to the official records of any association, except
1820 pursuant to a court order. However, if the charges are resolved
1821 without a finding of guilt, the director or officer shall be
1822 reinstated for the remainder of his or her term of office, if
1823 any.

1824 (r) *Fraudulent voting activities relating to association*
1825 *elections; penalties.*

1826 1. A person who engages in the following acts of fraudulent
1827 voting activity relating to association elections commits a

6-01522E-24

20241178__

- 1828 misdemeanor of the first degree, punishable as provided in s.
1829 775.082 or s. 775.083:
- 1830 a. Willfully and falsely swearing to or affirming an oath
1831 or affirmation, or willfully procuring another person to falsely
1832 swear to or affirm an oath or affirmation, in connection with or
1833 arising out of voting activities.
- 1834 b. Perpetrating or attempting to perpetrate, or aiding in
1835 the perpetration of, fraud in connection with a vote cast, to be
1836 cast, or attempted to be cast.
- 1837 c. Preventing a member from voting or preventing a member
1838 from voting as he or she intended by fraudulently changing or
1839 attempting to change a ballot, ballot envelope, vote, or voting
1840 certificate of the member.
- 1841 d. Menacing, threatening, or using bribery or any other
1842 corruption to attempt, directly or indirectly, to influence,
1843 deceive, or deter a member when the member is voting.
- 1844 e. Giving or promising, directly or indirectly, anything of
1845 value to another member with the intent to buy the vote of that
1846 member or another member or to corruptly influence that member
1847 or another member in casting his or her vote. This subsection
1848 does not apply to any food served which is to be consumed at an
1849 election rally or a meeting or to any item of nominal value
1850 which is used as an election advertisement, including a campaign
1851 message designed to be worn by a member.
- 1852 f. Using or threatening to use, directly or indirectly,
1853 force, violence, or intimidation or any tactic of coercion or
1854 intimidation to induce or compel a member to vote or refrain
1855 from voting in an election or on a particular ballot measure.
- 1856 2. Each of the following acts constitutes a misdemeanor of

6-01522E-24

20241178__

1857 the first degree, punishable as provided in s. 775.082 or s.
1858 775.083:

1859 a. Knowingly aiding, abetting, or advising a person in the
1860 commission of a fraudulent voting activity related to
1861 association elections.

1862 b. Agreeing, conspiring, combining, or confederating with
1863 at least one other person to commit a fraudulent voting activity
1864 related to association elections.

1865 c. Having knowledge of a fraudulent voting activity related
1866 to association elections and giving any aid to the offender with
1867 intent that the offender avoid or escape detection, arrest,
1868 trial, or punishment. This paragraph does not apply to a
1869 licensed attorney giving legal advice to a client.

1870 Section 9. Subsection (5) of section 718.113, Florida
1871 Statutes, is amended to read:

1872 718.113 Maintenance; limitation upon improvement; display
1873 of flag; hurricane ~~shutters~~ and protection; display of religious
1874 decorations.—

1875 (5) To protect the health, safety, and welfare of the
1876 people of this state and to ensure uniformity and consistency in
1877 the hurricane protections installed by condominium associations
1878 and unit owners, this subsection applies to all residential and
1879 mixed-use condominiums in this state, regardless of when the
1880 condominium is created pursuant to the declaration of
1881 condominium. Each board of administration of a residential
1882 condominium or mixed-use condominium shall adopt hurricane
1883 protection ~~shutter~~ specifications for each building within each
1884 condominium operated by the association which may ~~shall~~ include
1885 color, style, and other factors deemed relevant by the board.

6-01522E-24

20241178__

1886 All specifications adopted by the board must comply with the
1887 applicable building code. The installation, maintenance, repair,
1888 replacement, and operation of hurricane protection in accordance
1889 with this subsection is not considered a material alteration or
1890 substantial addition to the common elements or association
1891 property within the meaning of this section.

1892 (a) The board may, subject to s. 718.3026 and the approval
1893 of a majority of voting interests of the residential condominium
1894 or mixed-use condominium, install or require that unit owners
1895 install hurricane shutters, impact glass, code-compliant windows
1896 or doors, or other types of code-compliant hurricane protection
1897 that complies ~~comply~~ with or exceeds ~~exceed~~ the applicable
1898 building code. A vote of the unit owners to require the
1899 installation of hurricane protection must be set forth in a
1900 certificate attesting to such vote and include the date that the
1901 hurricane protection must be installed. The board must record
1902 the certificate in the public records of the county where the
1903 condominium is located. The certificate must include the
1904 recording data identifying the declaration of condominium and
1905 must be executed in the form required for the execution of a
1906 deed. Once the certificate is recorded, the board must mail or
1907 hand deliver a copy of the recorded certificate to the unit
1908 owners at the owners' addresses, as reflected in the records of
1909 the association. The board may provide a copy of the recorded
1910 certificate by electronic transmission to unit owners who
1911 previously consented to receive notice by electronic
1912 transmission. The failure to record the certificate or send a
1913 copy of the recorded certificate to the unit owners does not
1914 affect the validity or enforceability of the vote of the unit

6-01522E-24

20241178__

1915 owners. ~~However,~~ A vote of the unit owners under this paragraph
1916 is not required if the installation, maintenance, repair, and
1917 replacement of the hurricane shutters, impact glass, code-
1918 ~~compliant windows or doors, or other types of code-compliant~~
1919 ~~hurricane protection, or any exterior windows, doors, or other~~
1920 apertures protected by the hurricane protection, is are the
1921 responsibility of the association pursuant to the declaration of
1922 condominium as originally recorded or as amended, or if the unit
1923 owners are required to install hurricane protection pursuant to
1924 the declaration of condominium as originally recorded or as
1925 amended. If hurricane protection ~~or laminated glass or window~~
1926 ~~film architecturally designed to function as hurricane~~
1927 ~~protection~~ that complies with or exceeds the current applicable
1928 building code has been previously installed, the board may not
1929 install the same type of hurricane shutters, impact glass, code-
1930 ~~compliant windows or doors, or other types of code-compliant~~
1931 ~~hurricane protection~~ or require that unit owners install the
1932 same type of hurricane protection unless the installed hurricane
1933 protection has reached the end of its useful life or unless it
1934 is necessary to prevent damage to the common elements or to a
1935 unit except upon approval by a majority vote of the voting
1936 interests.

1937 ~~(b) The association is responsible for the maintenance,~~
1938 ~~repair, and replacement of the hurricane shutters, impact glass,~~
1939 ~~code-compliant windows or doors, or other types of code-~~
1940 ~~compliant hurricane protection authorized by this subsection if~~
1941 ~~such property is the responsibility of the association pursuant~~
1942 ~~to the declaration of condominium. If the hurricane shutters,~~
1943 ~~impact glass, code-compliant windows or doors, or other types of~~

6-01522E-24

20241178__

1944 ~~code-compliant hurricane protection are the responsibility of~~
1945 ~~the unit owners pursuant to the declaration of condominium, the~~
1946 ~~maintenance, repair, and replacement of such items are the~~
1947 ~~responsibility of the unit owner.~~

1948 (b) ~~(e)~~ The board may operate ~~shutters, impact glass, code-~~
1949 ~~compliant windows or doors, or other types of code-compliant~~
1950 ~~hurricane protection installed pursuant to this subsection~~
1951 ~~without permission of the unit owners only if such operation is~~
1952 ~~necessary to preserve and protect the condominium property or~~
1953 ~~and association property. The installation, replacement,~~
1954 ~~operation, repair, and maintenance of such shutters, impact~~
1955 ~~glass, code-compliant windows or doors, or other types of code-~~
1956 ~~compliant hurricane protection in accordance with the procedures~~
1957 ~~set forth in this paragraph are not a material alteration to the~~
1958 ~~common elements or association property within the meaning of~~
1959 ~~this section.~~

1960 (c) ~~(d)~~ Notwithstanding any other provision in the
1961 residential condominium or mixed-use condominium documents, if
1962 approval is required by the documents, a board may not refuse to
1963 approve the installation or replacement of ~~hurricane shutters,~~
1964 ~~impact glass, code-compliant windows or doors, or other types of~~
1965 ~~code-compliant~~ hurricane protection by a unit owner which
1966 conforms ~~conforming~~ to the specifications adopted by the board.
1967 However, a board may require the unit owner to adhere to an
1968 existing unified building scheme regarding the external
1969 appearance of the condominium.

1970 (d) A unit owner is not responsible for the cost of any
1971 removal or reinstallation of hurricane protection, and any
1972 exterior window, door, or other aperture protected by the

6-01522E-24

20241178__

1973 hurricane protection if its removal is necessary for the
 1974 maintenance, repair, or replacement of other condominium
 1975 property or association property for which the association is
 1976 responsible. The board shall determine if the removal or
 1977 reinstallation of hurricane protection must be completed by the
 1978 unit owner or the association. If such removal or reinstallation
 1979 is completed by the association, the costs incurred by the
 1980 association may not be charged to the unit owner. If such
 1981 removal or installation is completed by the unit owner, the
 1982 association must reimburse the unit owner for the cost of the
 1983 removal or installation or the association must apply the unit
 1984 owner's cost of removal or installation as a credit toward
 1985 future assessments.

1986 (e) If the removal or installation of hurricane protection
 1987 or of any exterior windows, doors, or other apertures protected
 1988 by the hurricane protection are the responsibility of the unit
 1989 owner, such removal or installation is completed by the
 1990 association, and the association then charges the unit owner for
 1991 such removal or installation, such charges are enforceable as an
 1992 assessment and may be collected in the manner provided under s.
 1993 718.116.

1994 Section 10. Paragraph (e) of subsection (1) of section
 1995 718.115, Florida Statutes, is amended to read:

1996 718.115 Common expenses and common surplus.—

1997 (1)

1998 (e)1. Except as provided in s. 718.113(5) (d) ~~The expense of~~
 1999 ~~installation, replacement, operation, repair, and maintenance of~~
 2000 ~~hurricane shutters, impact glass, code-compliant windows or~~
 2001 ~~doors, or other types of code-compliant hurricane protection by~~

6-01522E-24

20241178__

2002 ~~the board pursuant to s. 718.113(5) constitutes a common expense~~
2003 ~~and shall be collected as provided in this section if the~~
2004 ~~association is responsible for the maintenance, repair, and~~
2005 ~~replacement of the hurricane shutters, impact glass, code-~~
2006 ~~compliant windows or doors, or other types of code compliant~~
2007 ~~hurricane protection pursuant to the declaration of condominium.~~
2008 ~~However, if the installation of maintenance, repair, and~~
2009 ~~replacement of the hurricane shutters, impact glass, code-~~
2010 ~~compliant windows or doors, or other types of code compliant~~
2011 ~~hurricane protection is ~~are~~ the responsibility of the unit~~
2012 ~~owners pursuant to the declaration of condominium or a vote of~~
2013 ~~the unit owners under s. 718.113(5), the cost of the~~
2014 ~~installation of ~~the hurricane shutters, impact glass, code-~~~~
2015 ~~compliant windows or doors, or other types of code compliant~~
2016 ~~hurricane protection by the association is not a common expense~~
2017 ~~and must ~~shall~~ be charged individually to the unit owners based~~
2018 ~~on the cost of installation of ~~the hurricane shutters, impact~~~~
2019 ~~glass, code-compliant windows or doors, or other types of code-~~
2020 ~~compliant hurricane protection appurtenant to the unit. The~~
2021 ~~costs of installation of hurricane protection are enforceable as~~
2022 ~~an assessment and may be collected in the manner provided under~~
2023 ~~s. 718.116.~~

2024 2. Notwithstanding s. 718.116(9), and regardless of whether
2025 ~~or not~~ the declaration requires the association or unit owners
2026 to install, maintain, repair, or replace ~~hurricane shutters,~~
2027 ~~impact glass, code-compliant windows or doors, or other types of~~
2028 ~~code-compliant hurricane protection, the a-unit owner of a unit~~
2029 ~~where who has previously installed hurricane shutters in~~
2030 ~~accordance with s. 718.113(5) that comply with the current~~

6-01522E-24

20241178__

2031 ~~applicable building code shall receive a credit when the~~
2032 ~~shutters are installed; a unit owner who has previously~~
2033 ~~installed impact glass or code-compliant windows or doors that~~
2034 ~~comply with the current applicable building code shall receive a~~
2035 ~~credit when the impact glass or code-compliant windows or doors~~
2036 ~~are installed; and a unit owner who has installed other types of~~
2037 ~~code-compliant hurricane protection that complies ~~comply~~ with~~
2038 ~~the current applicable building code has been installed is~~
2039 ~~excused from any assessment levied by the association or shall~~
2040 ~~receive a credit if ~~when~~ the same type of ~~other code-compliant~~~~
2041 ~~hurricane protection is installed by the association, ~~and the~~~~
2042 ~~credit shall be equal to the pro rata portion of the assessed~~
2043 ~~installation cost assigned to each unit. A credit is applicable~~
2044 ~~if the installation of hurricane protection is for all other~~
2045 ~~units that do not have hurricane protection and the cost of such~~
2046 ~~installation is funded by the association's budget, including~~
2047 ~~the use of reserve funds. The credit must be equal to the amount~~
2048 ~~that the unit owner would have been assessed to install the~~
2049 ~~hurricane protection.~~ However, such unit owner remains
2050 responsible for the pro rata share of expenses for hurricane
2051 ~~shutters, impact glass, code-compliant windows or doors, or~~
2052 ~~other types of code-compliant hurricane protection installed on~~
2053 common elements and association property by the board pursuant
2054 to s. 718.113(5) and remains responsible for a pro rata share of
2055 the expense of the replacement, operation, repair, and
2056 maintenance of such ~~shutters, impact glass, code-compliant~~
2057 ~~windows or doors, or other types of code-compliant hurricane~~
2058 ~~protection. Expenses for the installation, replacement,~~
2059 ~~operation, repair, or maintenance of hurricane protection on~~

6-01522E-24

20241178__

2060 common elements and association property are common expenses.

2061 Section 11. Subsection (10) of section 718.116, Florida
2062 Statutes, is amended to read:

2063 718.116 Assessments; liability; lien and priority;
2064 interest; collection.—

2065 (10) The specific purpose or purposes of any special
2066 assessment, including any contingent special assessment levied
2067 in conjunction with the purchase of an insurance policy
2068 authorized by s. 718.111(11), approved in accordance with the
2069 condominium documents shall be set forth in a written notice of
2070 such assessment sent or delivered to each unit owner and
2071 recorded in the public records. The funds collected pursuant to
2072 a special assessment shall be used only for the specific purpose
2073 or purposes set forth in such notice. However, upon completion
2074 of such specific purpose or purposes, any excess funds will be
2075 considered common surplus, and may, at the discretion of the
2076 board, either be returned to the unit owners or applied as a
2077 credit toward future assessments.

2078 Section 12. Paragraph (a) of subsection (4) of section
2079 718.121, Florida Statutes, is amended to read:

2080 718.121 Liens.—

2081 (4) (a) If an association sends out an invoice for
2082 assessments or a unit's statement of the account described in s.
2083 718.111(12) (a) 11.c. ~~s. 718.111(12) (a) 11.b.~~, the invoice for
2084 assessments or the unit's statement of account must be delivered
2085 to the unit owner by first-class United States mail or by
2086 electronic transmission to the unit owner's e-mail address
2087 maintained in the association's official records.

2088 Section 13. Section 718.1224, Florida Statutes, is amended

6-01522E-24

20241178__

2089 to read:

2090 718.1224 Prohibition against SLAPP suits; other prohibited
2091 actions.—

2092 (1) It is the intent of the Legislature to protect the
2093 right of condominium unit owners to exercise their rights to
2094 instruct their representatives and petition for redress of
2095 grievances before their condominium association and the various
2096 governmental entities of this state as protected by the First
2097 Amendment to the United States Constitution and s. 5, Art. I of
2098 the State Constitution. The Legislature recognizes that
2099 strategic lawsuits against public participation, or "SLAPP
2100 suits," as they are typically referred to, have occurred when
2101 association members are sued by condominium associations,
2102 individuals, business entities, or governmental entities arising
2103 out of a condominium unit owner's appearance and presentation
2104 before the board of the condominium association or a
2105 governmental entity on matters related to the condominium
2106 association. However, it is the public policy of this state that
2107 condominium associations, governmental entities, business
2108 organizations, and individuals not engage in SLAPP suits,
2109 because such actions are inconsistent with the right of
2110 condominium unit owners to participate in their condominium
2111 association and in the state's institutions of government.
2112 Therefore, the Legislature finds and declares that prohibiting
2113 such lawsuits by condominium associations, governmental
2114 entities, business entities, and individuals against condominium
2115 unit owners who address matters concerning their condominium
2116 association will preserve this fundamental state policy,
2117 preserve the constitutional rights of condominium unit owners,

6-01522E-24

20241178__

2118 ~~and~~ ensure the continuation of representative government in this
2119 state, and ensure unit owner participation in condominium
2120 associations. It is the intent of the Legislature that such
2121 lawsuits be expeditiously disposed of by the courts. As used in
2122 this subsection, the term "governmental entity" means the state,
2123 including the executive, legislative, and judicial branches of
2124 government; law enforcement agencies; the independent
2125 establishments of the state, counties, municipalities,
2126 districts, authorities, boards, or commissions; or any agencies
2127 of these branches that are subject to chapter 286.

2128 (2) A condominium association, governmental entity,
2129 business organization, or individual in this state may not file
2130 or cause to be filed through its employees or agents any
2131 lawsuit, cause of action, claim, cross-claim, or counterclaim
2132 against a condominium unit owner without merit and solely
2133 because such condominium unit owner has exercised the right to
2134 instruct his or her representatives or the right to petition for
2135 redress of grievances before the condominium association or the
2136 various governmental entities of this state, as protected by the
2137 First Amendment to the United States Constitution and s. 5, Art.
2138 I of the State Constitution.

2139 (3) It is unlawful for a condominium association to fine,
2140 discriminatorily increase a unit owner's assessments or
2141 discriminatorily decrease services to a unit owner, or bring or
2142 threaten to bring an action for possession or other civil
2143 action, including a defamation, libel, slander, or tortious
2144 interference action, based on conduct described in paragraphs
2145 (a) through (f). In order for the unit owner to raise the
2146 defense of retaliatory conduct, the unit owner must have acted

6-01522E-24

20241178__

2147 in good faith and not for any improper purposes, such as to
2148 harass or to cause unnecessary delay or for frivolous purpose or
2149 needless increase in the cost of litigation. Examples of conduct
2150 for which a condominium association, officer, director, or agent
2151 of an association may not retaliate include, but are not limited
2152 to, situations where:

2153 (a) The unit owner has in good faith complained to a
2154 governmental agency charged with responsibility for enforcement
2155 of a building, housing, or health code of a suspected violation
2156 applicable to the condominium;

2157 (b) The unit owner has organized, encouraged, or
2158 participated in a unit owners' organization;

2159 (c) The unit owner submitted information or filed a
2160 complaint alleging criminal violations or violations of this
2161 chapter or the rules of the division with the division, the
2162 Office of the Condominium Ombudsman, a law enforcement agency, a
2163 state attorney, the Attorney General, or any other governmental
2164 agency;

2165 (d) The unit owner has exercised his or her rights under
2166 this chapter;

2167 (e) The unit owner has complained to the association or any
2168 of its representatives for their failure to comply with this
2169 chapter or chapter 617; or

2170 (f) The unit owner has made public statements critical of
2171 the operation or management of the association.

2172 (4) Evidence of retaliatory conduct may be raised by the
2173 unit owner as a defense in any action brought against him or her
2174 for possession.

2175 (5) A condominium unit owner sued by a condominium

6-01522E-24

20241178__

2176 association, governmental entity, business organization, or
2177 individual in violation of this section has a right to an
2178 expeditious resolution of a claim that the suit is in violation
2179 of this section. A condominium unit owner may petition the court
2180 for an order dismissing the action or granting final judgment in
2181 favor of that condominium unit owner. The petitioner may file a
2182 motion for summary judgment, together with supplemental
2183 affidavits, seeking a determination that the condominium
2184 association's, governmental entity's, business organization's,
2185 or individual's lawsuit has been brought in violation of this
2186 section. The condominium association, governmental entity,
2187 business organization, or individual shall thereafter file its
2188 response and any supplemental affidavits. As soon as
2189 practicable, the court shall set a hearing on the petitioner's
2190 motion, which shall be held at the earliest possible time after
2191 the filing of the condominium association's, governmental
2192 entity's, business organization's, or individual's response. The
2193 court may award the condominium unit owner sued by the
2194 condominium association, governmental entity, business
2195 organization, or individual actual damages arising from the
2196 condominium association's, governmental entity's, individual's,
2197 or business organization's violation of this section. A court
2198 may treble the damages awarded to a prevailing condominium unit
2199 owner and shall state the basis for the treble damages award in
2200 its judgment. The court shall award the prevailing party
2201 reasonable attorney's fees and costs incurred in connection with
2202 a claim that an action was filed in violation of this section.

2203 (6)~~(4)~~ Condominium associations may not expend association
2204 funds in prosecuting a SLAPP suit against a condominium unit

6-01522E-24

20241178__

2205 owner.

2206 (7) Condominium associations may not expend association
2207 funds in support of a defamation, libel, slander, or tortious
2208 interference action against a unit owner or any other claim
2209 against a unit owner based on conduct described in paragraphs
2210 (3) (a) - (f).

2211 Section 14. Paragraph (p) of subsection (4) of section
2212 718.301, Florida Statutes, is amended to read:

2213 718.301 Transfer of association control; claims of defect
2214 by association.—

2215 (4) At the time that unit owners other than the developer
2216 elect a majority of the members of the board of administration
2217 of an association, the developer shall relinquish control of the
2218 association, and the unit owners shall accept control.
2219 Simultaneously, or for the purposes of paragraph (c) not more
2220 than 90 days thereafter, the developer shall deliver to the
2221 association, at the developer's expense, all property of the
2222 unit owners and of the association which is held or controlled
2223 by the developer, including, but not limited to, the following
2224 items, if applicable, as to each condominium operated by the
2225 association:

2226 (p) Notwithstanding when the certificate of occupancy was
2227 issued or the height of the building, a turnover inspection
2228 report included in the official records, under seal of an
2229 architect or engineer authorized to practice in this state or a
2230 person certified as a reserve specialist or professional reserve
2231 analyst by the Community Associations Institute or the
2232 Association of Professional Reserve Analysts, and consisting of
2233 a structural integrity reserve study attesting to required

6-01522E-24

20241178__

2234 maintenance, condition, useful life, and replacement costs of
2235 the following applicable condominium property:

2236 1. Roof.

2237 2. Structure, including load-bearing walls and primary
2238 structural members and primary structural systems as those terms
2239 are defined in s. 627.706.

2240 3. Fireproofing and fire protection systems.

2241 4. Plumbing.

2242 5. Electrical systems.

2243 6. Waterproofing and exterior painting.

2244 7. Windows and exterior doors.

2245 Section 15. Paragraph (a) of subsection (2) of section
2246 718.3026, Florida Statutes, is amended to read:

2247 718.3026 Contracts for products and services; in writing;
2248 bids; exceptions.—Associations with 10 or fewer units may opt
2249 out of the provisions of this section if two-thirds of the unit
2250 owners vote to do so, which opt-out may be accomplished by a
2251 proxy specifically setting forth the exception from this
2252 section.

2253 (2) (a) Notwithstanding the foregoing, contracts with
2254 employees of the association, and contracts for attorney,
2255 accountant, architect, community association manager, timeshare
2256 management firm, engineering, registered investment adviser, and
2257 landscape architect services are not subject to the provisions
2258 of this section.

2259 Section 16. Subsections (4) and (5) of section 718.3027,
2260 Florida Statutes, are amended to read:

2261 718.3027 Conflicts of interest.—

2262 (4) A director or an officer, or a relative of a director

6-01522E-24

20241178__

2263 or an officer, who is a party to, or has an interest in, an
2264 activity that is a possible conflict of interest, as described
2265 in subsection (1), may attend the meeting at which the activity
2266 is considered by the board and is authorized to make a
2267 presentation to the board regarding the activity. After the
2268 presentation, the director or officer, and any ~~or the~~ relative
2269 of the director or officer, must leave the meeting during the
2270 discussion of, and the vote on, the activity. A director or an
2271 officer who is a party to, or has an interest in, the activity
2272 must recuse himself or herself from the vote. The attendance of
2273 a director with a possible conflict of interest at the meeting
2274 of the board is sufficient to constitute a quorum for the
2275 meeting and the vote in his or her absence on the proposed
2276 activity.

2277 (5) A contract entered into between a director or an
2278 officer, or a relative of a director or an officer, and the
2279 association, which is not a timeshare condominium association,
2280 that has not been properly disclosed as a conflict of interest
2281 or potential conflict of interest as required by this section or
2282 s. 617.0832 ~~s. 718.111(12)(g)~~ is voidable and terminates upon
2283 the filing of a written notice terminating the contract with the
2284 board of directors which contains the consent of at least 20
2285 percent of the voting interests of the association.

2286 Section 17. Subsection (5) of section 718.303, Florida
2287 Statutes, is amended to read:

2288 718.303 Obligations of owners and occupants; remedies.—

2289 (5) An association may suspend the voting rights of a unit
2290 owner or member due to nonpayment of any fee, fine, or other
2291 monetary obligation due to the association which is more than

6-01522E-24

20241178__

2292 \$1,000 and more than 90 days delinquent. Proof of such
2293 obligation must be provided to the unit owner or member 30 days
2294 before such suspension takes effect. Notice of such obligation
2295 must also be provided to the unit owner at least 90 days before
2296 an election or vote of the members. A voting interest or consent
2297 right allocated to a unit owner or member which has been
2298 suspended by the association shall be subtracted from the total
2299 number of voting interests in the association, which shall be
2300 reduced by the number of suspended voting interests when
2301 calculating the total percentage or number of all voting
2302 interests available to take or approve any action, and the
2303 suspended voting interests shall not be considered for any
2304 purpose, including, but not limited to, the percentage or number
2305 of voting interests necessary to constitute a quorum, the
2306 percentage or number of voting interests required to conduct an
2307 election, or the percentage or number of voting interests
2308 required to approve an action under this chapter or pursuant to
2309 the declaration, articles of incorporation, or bylaws. The
2310 suspension ends upon full payment of all obligations currently
2311 due or overdue the association. The notice and hearing
2312 requirements under subsection (3) do not apply to a suspension
2313 imposed under this subsection.

2314 Section 18. Subsections (1) and (2) of section 718.501,
2315 Florida Statutes, are amended to read:

2316 718.501 Authority, responsibility, and duties of Division
2317 of Florida Condominiums, Timeshares, and Mobile Homes.—

2318 (1) The division may enforce and ensure compliance with
2319 this chapter and rules relating to the development,
2320 construction, sale, lease, ownership, operation, and management

6-01522E-24

20241178__

2321 of residential condominium units and complaints related to the
2322 procedural completion of milestone inspections under s. 553.899.
2323 In performing its duties, the division has complete jurisdiction
2324 to investigate complaints and enforce compliance with respect to
2325 associations that are still under developer control or the
2326 control of a bulk assignee or bulk buyer pursuant to part VII of
2327 this chapter and complaints against developers, bulk assignees,
2328 or bulk buyers involving improper turnover or failure to
2329 turnover, pursuant to s. 718.301. ~~However, after turnover has
2330 occurred, the division has jurisdiction to investigate
2331 complaints related only to financial issues, elections, and the
2332 maintenance of and unit owner access to association records
2333 under s. 718.111(12), and the procedural completion of
2334 structural integrity reserve studies under s. 718.112(2)(g).~~

2335 (a)1. The division may make necessary public or private
2336 investigations within or outside this state to determine whether
2337 any person has violated this chapter or any rule or order
2338 hereunder, to aid in the enforcement of this chapter, or to aid
2339 in the adoption of rules or forms.

2340 2. The division may submit any official written report,
2341 worksheet, or other related paper, or a duly certified copy
2342 thereof, compiled, prepared, drafted, or otherwise made by and
2343 duly authenticated by a financial examiner or analyst to be
2344 admitted as competent evidence in any hearing in which the
2345 financial examiner or analyst is available for cross-examination
2346 and attests under oath that such documents were prepared as a
2347 result of an examination or inspection conducted pursuant to
2348 this chapter.

2349 (b) The division may require or permit any person to file a

6-01522E-24

20241178__

2350 statement in writing, under oath or otherwise, as the division
2351 determines, as to the facts and circumstances concerning a
2352 matter to be investigated.

2353 (c) For the purpose of any investigation under this
2354 chapter, the division director or any officer or employee
2355 designated by the division director may administer oaths or
2356 affirmations, subpoena witnesses and compel their attendance,
2357 take evidence, and require the production of any matter which is
2358 relevant to the investigation, including the existence,
2359 description, nature, custody, condition, and location of any
2360 books, documents, or other tangible things and the identity and
2361 location of persons having knowledge of relevant facts or any
2362 other matter reasonably calculated to lead to the discovery of
2363 material evidence. Upon the failure by a person to obey a
2364 subpoena or to answer questions propounded by the investigating
2365 officer and upon reasonable notice to all affected persons, the
2366 division may apply to the circuit court for an order compelling
2367 compliance.

2368 (d) Notwithstanding any remedies available to unit owners
2369 and associations, if the division has reasonable cause to
2370 believe that a violation of any provision of this chapter or
2371 related rule has occurred, the division may institute
2372 enforcement proceedings in its own name against any developer,
2373 bulk assignee, bulk buyer, association, officer, or member of
2374 the board of administration, or its assignees or agents, as
2375 follows:

2376 1. The division may permit a person whose conduct or
2377 actions may be under investigation to waive formal proceedings
2378 and enter into a consent proceeding whereby orders, rules, or

6-01522E-24

20241178__

2379 letters of censure or warning, whether formal or informal, may
2380 be entered against the person.

2381 2. The division may issue an order requiring the developer,
2382 bulk assignee, bulk buyer, association, developer-designated
2383 officer, or developer-designated member of the board of
2384 administration, developer-designated assignees or agents, bulk
2385 assignee-designated assignees or agents, bulk buyer-designated
2386 assignees or agents, community association manager, or community
2387 association management firm to cease and desist from the
2388 unlawful practice and take such affirmative action as in the
2389 judgment of the division carry out the purposes of this chapter.
2390 If the division finds that a developer, bulk assignee, bulk
2391 buyer, association, officer, or member of the board of
2392 administration, or its assignees or agents, is violating or is
2393 about to violate any provision of this chapter, any rule adopted
2394 or order issued by the division, or any written agreement
2395 entered into with the division, and presents an immediate danger
2396 to the public requiring an immediate final order, it may issue
2397 an emergency cease and desist order reciting with particularity
2398 the facts underlying such findings. The emergency cease and
2399 desist order is effective for 90 days. If the division begins
2400 nonemergency cease and desist proceedings, the emergency cease
2401 and desist order remains effective until the conclusion of the
2402 proceedings under ss. 120.569 and 120.57.

2403 3. If a developer, bulk assignee, or bulk buyer fails to
2404 pay any restitution determined by the division to be owed, plus
2405 any accrued interest at the highest rate permitted by law,
2406 within 30 days after expiration of any appellate time period of
2407 a final order requiring payment of restitution or the conclusion

6-01522E-24

20241178__

2408 of any appeal thereof, whichever is later, the division must
2409 bring an action in circuit or county court on behalf of any
2410 association, class of unit owners, lessees, or purchasers for
2411 restitution, declaratory relief, injunctive relief, or any other
2412 available remedy. The division may also temporarily revoke its
2413 acceptance of the filing for the developer to which the
2414 restitution relates until payment of restitution is made.

2415 4. The division may petition the court for appointment of a
2416 receiver or conservator. If appointed, the receiver or
2417 conservator may take action to implement the court order to
2418 ensure the performance of the order and to remedy any breach
2419 thereof. In addition to all other means provided by law for the
2420 enforcement of an injunction or temporary restraining order, the
2421 circuit court may impound or sequester the property of a party
2422 defendant, including books, papers, documents, and related
2423 records, and allow the examination and use of the property by
2424 the division and a court-appointed receiver or conservator.

2425 5. The division may apply to the circuit court for an order
2426 of restitution whereby the defendant in an action brought under
2427 subparagraph 4. is ordered to make restitution of those sums
2428 shown by the division to have been obtained by the defendant in
2429 violation of this chapter. At the option of the court, such
2430 restitution is payable to the conservator or receiver appointed
2431 under subparagraph 4. or directly to the persons whose funds or
2432 assets were obtained in violation of this chapter.

2433 6. The division may impose a civil penalty against a
2434 developer, bulk assignee, or bulk buyer, or association, or its
2435 assignee or agent, for any violation of this chapter or related
2436 rule. The division may impose a civil penalty individually

6-01522E-24

20241178__

2437 against an officer or board member who willfully and knowingly
2438 violates this chapter, an adopted rule, or a final order of the
2439 division; may order the removal of such individual as an officer
2440 or from the board of administration or as an officer of the
2441 association; and may prohibit such individual from serving as an
2442 officer or on the board of a community association for a period
2443 of time. The term "willfully and knowingly" means that the
2444 division informed the officer or board member that his or her
2445 action or intended action violates this chapter, a rule adopted
2446 under this chapter, or a final order of the division and that
2447 the officer or board member refused to comply with the
2448 requirements of this chapter, a rule adopted under this chapter,
2449 or a final order of the division. The division, before
2450 initiating formal agency action under chapter 120, must afford
2451 the officer or board member an opportunity to voluntarily
2452 comply, and an officer or board member who complies within 10
2453 days is not subject to a civil penalty. A penalty may be imposed
2454 on the basis of each day of continuing violation, but the
2455 penalty for any offense may not exceed \$5,000. The division
2456 shall adopt, by rule, penalty guidelines applicable to possible
2457 violations or to categories of violations of this chapter or
2458 rules adopted by the division. The guidelines must specify a
2459 meaningful range of civil penalties for each such violation of
2460 the statute and rules and must be based upon the harm caused by
2461 the violation, upon the repetition of the violation, and upon
2462 such other factors deemed relevant by the division. For example,
2463 the division may consider whether the violations were committed
2464 by a developer, bulk assignee, or bulk buyer, or owner-
2465 controlled association, the size of the association, and other

6-01522E-24

20241178__

2466 factors. The guidelines must designate the possible mitigating
2467 or aggravating circumstances that justify a departure from the
2468 range of penalties provided by the rules. It is the legislative
2469 intent that minor violations be distinguished from those which
2470 endanger the health, safety, or welfare of the condominium
2471 residents or other persons and that such guidelines provide
2472 reasonable and meaningful notice to the public of likely
2473 penalties that may be imposed for proscribed conduct. This
2474 subsection does not limit the ability of the division to
2475 informally dispose of administrative actions or complaints by
2476 stipulation, agreed settlement, or consent order. All amounts
2477 collected shall be deposited with the Chief Financial Officer to
2478 the credit of the Division of Florida Condominiums, Timeshares,
2479 and Mobile Homes Trust Fund. If a developer, bulk assignee, or
2480 bulk buyer fails to pay the civil penalty and the amount deemed
2481 to be owed to the association, the division shall issue an order
2482 directing that such developer, bulk assignee, or bulk buyer
2483 cease and desist from further operation until such time as the
2484 civil penalty is paid or may pursue enforcement of the penalty
2485 in a court of competent jurisdiction. If an association fails to
2486 pay the civil penalty, the division shall pursue enforcement in
2487 a court of competent jurisdiction, and the order imposing the
2488 civil penalty or the cease and desist order is not effective
2489 until 20 days after the date of such order. Any action commenced
2490 by the division shall be brought in the county in which the
2491 division has its executive offices or in the county where the
2492 violation occurred.

2493 7. If a unit owner presents the division with proof that
2494 the unit owner has requested access to official records in

6-01522E-24

20241178__

2495 writing by certified mail, and that after 10 days the unit owner
2496 again made the same request for access to official records in
2497 writing by certified mail, and that more than 10 days has
2498 elapsed since the second request and the association has still
2499 failed or refused to provide access to official records as
2500 required by this chapter, the division shall issue a subpoena
2501 requiring production of the requested records where the records
2502 are kept pursuant to s. 718.112. Upon receipt of the records,
2503 the division must provide without charge the produced official
2504 records to the unit owner who was denied access to such records.

2505 8. In addition to subparagraph 6., the division may seek
2506 the imposition of a civil penalty through the circuit court for
2507 any violation for which the division may issue a notice to show
2508 cause under paragraph (s) ~~(r)~~. The civil penalty shall be at
2509 least \$500 but no more than \$5,000 for each violation. The court
2510 may also award to the prevailing party court costs and
2511 reasonable attorney fees and, if the division prevails, may also
2512 award reasonable costs of investigation.

2513 (e) The division may prepare and disseminate a prospectus
2514 and other information to assist prospective owners, purchasers,
2515 lessees, and developers of residential condominiums in assessing
2516 the rights, privileges, and duties pertaining thereto.

2517 (f) The division may adopt rules to administer and enforce
2518 this chapter.

2519 (g) The division shall establish procedures for providing
2520 notice to an association and the developer, bulk assignee, or
2521 bulk buyer during the period in which the developer, bulk
2522 assignee, or bulk buyer controls the association if the division
2523 is considering the issuance of a declaratory statement with

6-01522E-24

20241178__

2524 respect to the declaration of condominium or any related
2525 document governing such condominium community.

2526 (h) The division shall furnish each association that pays
2527 the fees required by paragraph (2) (a) a copy of this chapter, as
2528 amended, and the rules adopted thereto on an annual basis.

2529 (i) The division shall annually provide each association
2530 with a summary of declaratory statements and formal legal
2531 opinions relating to the operations of condominiums which were
2532 rendered by the division during the previous year.

2533 (j) The division shall provide training and educational
2534 programs for condominium association board members and unit
2535 owners. The training may, in the division's discretion, include
2536 web-based electronic media and live training and seminars in
2537 various locations throughout the state. The division may review
2538 and approve education and training programs for board members
2539 and unit owners offered by providers and shall maintain a
2540 current list of approved programs and providers and make such
2541 list available to board members and unit owners in a reasonable
2542 and cost-effective manner. The division shall provide the
2543 educational curriculum required under s. 718.112(2) (d) and issue
2544 a certificate of satisfactory completion to directors of the
2545 board of administration at no charge, including when the
2546 required educational curriculum is provided by a division-
2547 approved condominium education provider.

2548 (k) The division shall maintain a toll-free telephone
2549 number accessible to condominium unit owners.

2550 (l) The division shall develop a program to certify both
2551 volunteer and paid mediators to provide mediation of condominium
2552 disputes. The division shall provide, upon request, a list of

6-01522E-24

20241178__

2553 such mediators to any association, unit owner, or other
2554 participant in alternative dispute resolution proceedings under
2555 s. 718.1255 requesting a copy of the list. The division shall
2556 include on the list of volunteer mediators only the names of
2557 persons who have received at least 20 hours of training in
2558 mediation techniques or who have mediated at least 20 disputes.
2559 In order to become initially certified by the division, paid
2560 mediators must be certified by the Supreme Court to mediate
2561 court cases in county or circuit courts. However, the division
2562 may adopt, by rule, additional factors for the certification of
2563 paid mediators, which must be related to experience, education,
2564 or background. Any person initially certified as a paid mediator
2565 by the division must, in order to continue to be certified,
2566 comply with the factors or requirements adopted by rule.

2567 (m) If a complaint is made, the division must conduct its
2568 inquiry with due regard for the interests of the affected
2569 parties. Within 30 days after receipt of a complaint, the
2570 division shall acknowledge the complaint in writing and notify
2571 the complainant whether the complaint is within the jurisdiction
2572 of the division and whether additional information is needed by
2573 the division from the complainant. The division shall conduct
2574 its investigation and, within 90 days after receipt of the
2575 original complaint or of timely requested additional
2576 information, take action upon the complaint. However, the
2577 failure to complete the investigation within 90 days does not
2578 prevent the division from continuing the investigation,
2579 accepting or considering evidence obtained or received after 90
2580 days, or taking administrative action if reasonable cause exists
2581 to believe that a violation of this chapter or a rule has

6-01522E-24

20241178__

2582 occurred. If an investigation is not completed within the time
2583 limits established in this paragraph, the division shall, on a
2584 monthly basis, notify the complainant in writing of the status
2585 of the investigation. When reporting its action to the
2586 complainant, the division shall inform the complainant of any
2587 right to a hearing under ss. 120.569 and 120.57. The division
2588 may adopt rules regarding the submission of a complaint against
2589 an association.

2590 (n) Condominium association directors, officers, and
2591 employees; condominium developers; bulk assignees, bulk buyers,
2592 and community association managers; and community association
2593 management firms have an ongoing duty to reasonably cooperate
2594 with the division in any investigation under this section. The
2595 division shall refer to local law enforcement authorities any
2596 person whom the division believes has altered, destroyed,
2597 concealed, or removed any record, document, or thing required to
2598 be kept or maintained by this chapter with the purpose to impair
2599 its verity or availability in the department's investigation.
2600 The division shall refer to local law enforcement authorities
2601 any person whom the division believes has engaged in fraud,
2602 theft, embezzlement, or other criminal activity or when the
2603 division has cause to believe that fraud, theft, embezzlement,
2604 or other criminal activity has occurred.

2605 (o) The division director or any officer or employee of the
2606 division, and the condominium ombudsman or employee of the
2607 Office of the Condominium Ombudsman may attend and observe any
2608 meeting of the board of administration or unit owner meeting,
2609 including any meeting of a subcommittee or special committee,
2610 that is open to members of the association for the purpose of

6-01522E-24

20241178__

2611 performing the duties of the division or the Office of the
2612 Condominium Ombudsman under this chapter.

2613 (p) The division may:

2614 1. Contract with agencies in this state or other
2615 jurisdictions to perform investigative functions; or

2616 2. Accept grants-in-aid from any source.

2617 (q)~~(p)~~ The division shall cooperate with similar agencies
2618 in other jurisdictions to establish uniform filing procedures
2619 and forms, public offering statements, advertising standards,
2620 and rules and common administrative practices.

2621 (r)~~(q)~~ The division shall consider notice to a developer,
2622 bulk assignee, or bulk buyer to be complete when it is delivered
2623 to the address of the developer, bulk assignee, or bulk buyer
2624 currently on file with the division.

2625 (s)~~(r)~~ In addition to its enforcement authority, the
2626 division may issue a notice to show cause, which must provide
2627 for a hearing, upon written request, in accordance with chapter
2628 120.

2629 (t) The division shall routinely conduct random audits of
2630 condominium associations to determine compliance with the
2631 website or application requirements for official records under
2632 s. 718.111(12)(g).

2633 (u)~~(s)~~ The division shall submit to the Governor, the
2634 President of the Senate, the Speaker of the House of
2635 Representatives, and the chairs of the legislative
2636 appropriations committees an annual report that includes, but
2637 need not be limited to, the number of training programs provided
2638 for condominium association board members and unit owners, the
2639 number of complaints received by type, the number and percent of

6-01522E-24

20241178__

2640 complaints acknowledged in writing within 30 days and the number
2641 and percent of investigations acted upon within 90 days in
2642 accordance with paragraph (m), and the number of investigations
2643 exceeding the 90-day requirement. The annual report must also
2644 include an evaluation of the division's core business processes
2645 and make recommendations for improvements, including statutory
2646 changes. The report shall be submitted by September 30 following
2647 the end of the fiscal year.

2648 (2) (a) Each condominium association which operates more
2649 than two units shall pay to the division an annual fee in the
2650 amount of \$4 for each residential unit in condominiums operated
2651 by the association. The annual fee shall be filed together with
2652 the annual certification described in paragraph (c). If the fee
2653 is not paid by March 1, the association shall be assessed a
2654 penalty of 10 percent of the amount due, and the association
2655 will not have standing to maintain or defend any action in the
2656 courts of this state until the amount due, plus any penalty, is
2657 paid.

2658 (b) All fees shall be deposited in the Division of Florida
2659 Condominiums, Timeshares, and Mobile Homes Trust Fund as
2660 provided by law.

2661 (c) On the certification form provided by the division, the
2662 directors of the association shall certify that all directors of
2663 the association have completed the written certification and
2664 educational certificate requirements in s. 718.112(2)(d)4.b.

2665 Section 19. Subsection (1) of section 718.618, Florida
2666 Statutes, is amended to read:

2667 718.618 Converter reserve accounts; warranties.—

2668 (1) When existing improvements are converted to ownership

6-01522E-24

20241178__

2669 as a residential condominium, the developer shall establish
2670 converter reserve accounts for capital expenditures and planned
2671 ~~deferred~~ maintenance, or give warranties as provided by
2672 subsection (6), or post a surety bond as provided by subsection
2673 (7). The developer shall fund the converter reserve accounts in
2674 amounts calculated as follows:

2675 (a)1. When the existing improvements include an air-
2676 conditioning system serving more than one unit or property which
2677 the association is responsible to repair, maintain, or replace,
2678 the developer shall fund an air-conditioning reserve account.
2679 The amount of the reserve account shall be the product of the
2680 estimated current replacement cost of the system, as disclosed
2681 and substantiated pursuant to s. 718.616(3)(b), multiplied by a
2682 fraction, the numerator of which shall be the lesser of the age
2683 of the system in years or 9, and the denominator of which shall
2684 be 10. When such air-conditioning system is within 1,000 yards
2685 of the seacoast, the numerator shall be the lesser of the age of
2686 the system in years or 3, and the denominator shall be 4.

2687 2. The developer shall fund a plumbing reserve account. The
2688 amount of the funding shall be the product of the estimated
2689 current replacement cost of the plumbing component, as disclosed
2690 and substantiated pursuant to s. 718.616(3)(b), multiplied by a
2691 fraction, the numerator of which shall be the lesser of the age
2692 of the plumbing in years or 36, and the denominator of which
2693 shall be 40.

2694 3. The developer shall fund a roof reserve account. The
2695 amount of the funding shall be the product of the estimated
2696 current replacement cost of the roofing component, as disclosed
2697 and substantiated pursuant to s. 718.616(3)(b), multiplied by a

6-01522E-24

20241178__

2698 fraction, the numerator of which shall be the lesser of the age
 2699 of the roof in years or the numerator listed in the following
 2700 table. The denominator of the fraction shall be determined based
 2701 on the roof type, as follows:

	Roof Type	Numerator	Denominator
2703 a.	Built-up roof without insulation	4	5
2704 b.	Built-up roof with insulation	4	5
2705 c.	Cement tile roof	45	50
2706 d.	Asphalt shingle roof	14	15
2707 e.	Copper roof	14	15
2708 f.	Wood shingle roof	9	15
2709 g.	All other types	18	20

2710
 2711 (b) The age of any component or structure for which the
 2712 developer is required to fund a reserve account shall be
 2713 measured in years, rounded to the nearest whole year. The amount
 2714 of converter reserves to be funded by the developer for each
 2715 structure or component shall be based on the age of the

6-01522E-24

20241178__

2716 structure or component as disclosed in the inspection report.
2717 The architect or engineer shall determine the age of the
2718 component from the later of:

2719 1. The date when the component or structure was replaced or
2720 substantially renewed, if the replacement or renewal of the
2721 component at least met the requirements of the then-applicable
2722 building code; or

2723 2. The date when the installation or construction of the
2724 existing component or structure was completed.

2725 (c) When the age of a component or structure is to be
2726 measured from the date of replacement or renewal, the developer
2727 shall provide the division with a certificate, under the seal of
2728 an architect or engineer authorized to practice in this state,
2729 verifying:

2730 1. The date of the replacement or renewal; and

2731 2. That the replacement or renewal at least met the
2732 requirements of the then-applicable building code.

2733 (d) In addition to establishing the reserve accounts
2734 specified above, the developer shall establish those other
2735 reserve accounts required by s. 718.112(2)(f), and shall fund
2736 those accounts in accordance with the formula provided therein.
2737 The vote to waive or reduce the funding or reserves required by
2738 s. 718.112(2)(f) does not affect or negate the obligations
2739 arising under this section.

2740 Section 20. Paragraphs (j) and (k) of subsection (1) of
2741 section 719.106, Florida Statutes, are amended to read:

2742 719.106 Bylaws; cooperative ownership.—

2743 (1) MANDATORY PROVISIONS.—The bylaws or other cooperative
2744 documents shall provide for the following, and if they do not,

6-01522E-24

20241178__

2745 they shall be deemed to include the following:

2746 (j) *Annual budget.*—

2747 1. The proposed annual budget of common expenses must be
2748 detailed and must show the amounts budgeted by accounts and
2749 expense classifications, including, if applicable, but not
2750 limited to, those expenses listed in s. 719.504(20). The board
2751 of administration shall adopt the annual budget at least 14 days
2752 before the start of the association's fiscal year. In the event
2753 that the board fails to timely adopt the annual budget a second
2754 time, it is deemed a minor violation and the prior year's budget
2755 shall continue in effect until a new budget is adopted.

2756 2. In addition to annual operating expenses, the budget
2757 must include reserve accounts for capital expenditures and
2758 planned ~~deferred~~ maintenance. These accounts must include, but
2759 not be limited to, roof replacement, building painting, and
2760 pavement resurfacing, regardless of the amount of planned
2761 ~~deferred~~ maintenance expense or replacement cost, and for any
2762 other items for which the planned ~~deferred~~ maintenance expense
2763 or replacement cost exceeds \$10,000. The amount to be reserved
2764 must be computed by means of a formula which is based upon
2765 estimated remaining useful life and estimated replacement cost
2766 or planned ~~deferred~~ maintenance expense of the reserve item. In
2767 a budget adopted by an association that is required to obtain a
2768 structural integrity reserve study, reserves must be maintained
2769 for the items identified in paragraph (k) for which the
2770 association is responsible pursuant to the declaration, and the
2771 reserve amount for such items must be based on the findings and
2772 recommendations of the association's most recent structural
2773 integrity reserve study. With respect to items for which an

6-01522E-24

20241178__

2774 estimate of useful life is not readily ascertainable or with an
2775 estimated remaining useful life of greater than 25 years, an
2776 association is not required to reserve replacement costs for
2777 such items, but an association must reserve the amount of
2778 planned ~~deferred~~ maintenance expense, if any, which is
2779 recommended by the structural integrity reserve study for such
2780 items. The association may adjust replacement reserve
2781 assessments annually to take into account an inflation
2782 adjustment and any changes in estimates or extension of the
2783 useful life of a reserve item caused by planned ~~deferred~~
2784 maintenance. The members of a unit-owner-controlled association
2785 may determine, by a majority vote of the total voting interests
2786 of the association, for a fiscal year to provide no reserves or
2787 reserves less adequate than required by this subsection. Before
2788 turnover of control of an association by a developer to unit
2789 owners other than a developer under s. 719.301, the developer-
2790 controlled association may not vote to waive the reserves or
2791 reduce funding of the reserves. For a budget adopted on or after
2792 December 31, 2024, a unit-owner-controlled association that must
2793 obtain a structural integrity reserve study may not determine to
2794 provide no reserves or reserves less adequate than required by
2795 this paragraph for items listed in paragraph (k). If a meeting
2796 of the unit owners has been called to determine to provide no
2797 reserves, or reserves less adequate than required, and such
2798 result is not attained or a quorum is not attained, the reserves
2799 as included in the budget shall go into effect.

2800 3. Reserve funds and any interest accruing thereon shall
2801 remain in the reserve account or accounts, and shall be used
2802 only for authorized reserve expenditures unless their use for

6-01522E-24

20241178__

2803 other purposes is approved in advance by a vote of the majority
2804 of the total voting interests of the association. Before
2805 turnover of control of an association by a developer to unit
2806 owners other than the developer under s. 719.301, the developer
2807 may not vote to use reserves for purposes other than that for
2808 which they were intended. For a budget adopted on or after
2809 December 31, 2024, members of a unit-owner-controlled
2810 association that must obtain a structural integrity reserve
2811 study may not vote to use reserve funds, or any interest
2812 accruing thereon, for purposes other than the replacement or
2813 planned ~~deferred~~ maintenance costs of the components listed in
2814 paragraph (k).

2815 (k) *Structural integrity reserve study.*—

2816 1. A residential cooperative association must have a
2817 structural integrity reserve study completed at least every 10
2818 years for each building on the cooperative property that is
2819 three stories or higher in height, as determined by the Florida
2820 Building Code, that includes, at a minimum, a study of the
2821 following items as related to the structural integrity and
2822 safety of the building:

2823 a. Roof.

2824 b. Structure, including load-bearing walls and other
2825 primary structural members and primary structural systems as
2826 those terms are defined in s. 627.706.

2827 c. Fireproofing and fire protection systems.

2828 d. Plumbing.

2829 e. Electrical systems.

2830 f. Waterproofing and exterior painting.

2831 g. Windows and exterior doors.

6-01522E-24

20241178__

2832 h. Any other item that has a planned ~~deferred~~ maintenance
2833 expense or replacement cost that exceeds \$10,000 and the failure
2834 to replace or maintain such item negatively affects the items
2835 listed in sub-subparagraphs a.-g., as determined by the visual
2836 inspection portion of the structural integrity reserve study.

2837 2. A structural integrity reserve study is based on a
2838 visual inspection of the cooperative property. A structural
2839 integrity reserve study may be performed by any person qualified
2840 to perform such study. However, the visual inspection portion of
2841 the structural integrity reserve study must be performed or
2842 verified by an engineer licensed under chapter 471, an architect
2843 licensed under chapter 481, or a person certified as a reserve
2844 specialist or professional reserve analyst by the Community
2845 Associations Institute or the Association of Professional
2846 Reserve Analysts.

2847 3. At a minimum, a structural integrity reserve study must
2848 identify each item of the cooperative property being visually
2849 inspected, state the estimated remaining useful life and the
2850 estimated replacement cost or planned ~~deferred~~ maintenance
2851 expense of each item of the cooperative property being visually
2852 inspected, and provide a reserve funding schedule with a
2853 recommended annual reserve amount that achieves the estimated
2854 replacement cost or planned ~~deferred~~ maintenance expense of each
2855 item of cooperative property being visually inspected by the end
2856 of the estimated remaining useful life of the item. The
2857 structural integrity reserve study may recommend that reserves
2858 do not need to be maintained for any item for which an estimate
2859 of useful life and an estimate of replacement cost cannot be
2860 determined, or the study may recommend a planned ~~deferred~~

6-01522E-24

20241178__

2861 maintenance expense amount for such item. The structural
2862 integrity reserve study may recommend that reserves for
2863 replacement costs do not need to be maintained for any item with
2864 an estimated remaining useful life of greater than 25 years, but
2865 the study may recommend a planned ~~deferred~~ maintenance expense
2866 amount for such item.

2867 4. This paragraph does not apply to buildings less than
2868 three stories in height; single-family, two-family, or three-
2869 family dwellings with three or fewer habitable stories above
2870 ground; any portion or component of a building that has not been
2871 submitted to the cooperative form of ownership; or any portion
2872 or component of a building that is maintained by a party other
2873 than the association.

2874 5. Before a developer turns over control of an association
2875 to unit owners other than the developer, the developer must have
2876 a turnover inspection report in compliance with s. 719.301(4)(p)
2877 and (q) for each building on the cooperative property that is
2878 three stories or higher in height.

2879 6. Associations existing on or before July 1, 2022, which
2880 are controlled by unit owners other than the developer, must
2881 have a structural integrity reserve study completed by December
2882 31, 2024, for each building on the cooperative property that is
2883 three stories or higher in height. An association that is
2884 required to complete a milestone inspection on or before
2885 December 31, 2026, in accordance with s. 553.899 may complete
2886 the structural integrity reserve study simultaneously with the
2887 milestone inspection. In no event may the structural integrity
2888 reserve study be completed after December 31, 2026.

2889 7. If the milestone inspection required by s. 553.899, or

6-01522E-24

20241178__

2890 an inspection completed for a similar local requirement, was
2891 performed within the past 5 years and meets the requirements of
2892 this paragraph, such inspection may be used in place of the
2893 visual inspection portion of the structural integrity reserve
2894 study.

2895 8. If the officers or directors of an association willfully
2896 and knowingly fail to complete a structural integrity reserve
2897 study pursuant to this paragraph, such failure is a breach of an
2898 officer's and director's fiduciary relationship to the unit
2899 owners under s. 719.104(9).

2900 9. Within 45 days after receiving the structural integrity
2901 reserve study, the association must distribute a copy of the
2902 study to each unit owner or deliver to each unit owner a notice
2903 that the completed study is available for inspection and copying
2904 upon a written request. Distribution of a copy of the study or
2905 notice must be made by United States mail or personal delivery
2906 at the mailing address, property address, or any other address
2907 of the owner provided to fulfill the association's notice
2908 requirements under this chapter, or by electronic transmission
2909 to the e-mail address or facsimile number provided to fulfill
2910 the association's notice requirements to unit owners who
2911 previously consented to receive notice by electronic
2912 transmission.

2913 Section 21. Paragraph (p) of subsection (4) of section
2914 719.301, Florida Statutes, is amended to read:

2915 719.301 Transfer of association control.—

2916 (4) When unit owners other than the developer elect a
2917 majority of the members of the board of administration of an
2918 association, the developer shall relinquish control of the

6-01522E-24

20241178__

2919 association, and the unit owners shall accept control.
2920 Simultaneously, or for the purpose of paragraph (c) not more
2921 than 90 days thereafter, the developer shall deliver to the
2922 association, at the developer's expense, all property of the
2923 unit owners and of the association held or controlled by the
2924 developer, including, but not limited to, the following items,
2925 if applicable, as to each cooperative operated by the
2926 association:

2927 (p) Notwithstanding when the certificate of occupancy was
2928 issued or the height of the building, a turnover inspection
2929 report included in the official records, under seal of an
2930 architect or engineer authorized to practice in this state or a
2931 person certified as a reserve specialist or professional reserve
2932 analyst by the Community Associations Institute or the
2933 Association of Professional Reserve Analysts, consisting of a
2934 structural integrity reserve study attesting to required
2935 maintenance, condition, useful life, and replacement costs of
2936 the following applicable cooperative property:

- 2937 1. Roof.
- 2938 2. Structure, including load-bearing walls and primary
2939 structural members and primary structural systems as those terms
2940 are defined in s. 627.706.
- 2941 3. Fireproofing and fire protection systems.
- 2942 4. Plumbing.
- 2943 5. Electrical systems.
- 2944 6. Waterproofing and exterior painting.
- 2945 7. Windows and exterior doors.

2946 Section 22. Subsection (1) of section 719.618, Florida
2947 Statutes, is amended to read:

6-01522E-24

20241178__

2948 719.618 Converter reserve accounts; warranties.—

2949 (1) When existing improvements are converted to ownership
2950 as a residential cooperative, the developer shall establish
2951 reserve accounts for capital expenditures and planned ~~deferred~~
2952 maintenance, or give warranties as provided by subsection (6),
2953 or post a surety bond as provided by subsection (7). The
2954 developer shall fund the reserve accounts in amounts calculated
2955 as follows:

2956 (a)1. When the existing improvements include an air-
2957 conditioning system serving more than one unit or property which
2958 the association is responsible to repair, maintain, or replace,
2959 the developer shall fund an air-conditioning reserve account.
2960 The amount of the reserve account shall be the product of the
2961 estimated current replacement cost of the system, as disclosed
2962 and substantiated pursuant to s. 719.616(3)(b), multiplied by a
2963 fraction, the numerator of which shall be the lesser of the age
2964 of the system in years or 9, and the denominator of which shall
2965 be 10. When such air-conditioning system is within 1,000 yards
2966 of the seacoast, the numerator shall be the lesser of the age of
2967 the system in years or 3, and the denominator shall be 4.

2968 2. The developer shall fund a plumbing reserve account. The
2969 amount of the funding shall be the product of the estimated
2970 current replacement cost of the plumbing component, as disclosed
2971 and substantiated pursuant to s. 719.616(3)(b), multiplied by a
2972 fraction, the numerator of which shall be the lesser of the age
2973 of the plumbing in years or 36, and the denominator of which
2974 shall be 40.

2975 3. The developer shall fund a roof reserve account. The
2976 amount of the funding shall be the product of the estimated

6-01522E-24

20241178__

2977 current replacement cost of the roofing component, as disclosed
 2978 and substantiated pursuant to s. 719.616(3)(b), multiplied by a
 2979 fraction, the numerator of which shall be the lesser of the age
 2980 of the roof in years or the numerator listed in the following
 2981 table. The denominator of the fraction shall be determined based
 2982 on the roof type, as follows:
 2983

Roof Type	Numerator	Denominator
a. Built-up roof without insulation	4	5
b. Built-up roof with insulation	4	5
c. Cement tile roof	45	50
d. Asphalt shingle roof	14	15
e. Copper roof		
f. Wood shingle roof	9	10
g. All other types	18	20

2991
 2992 (b) The age of any component or structure for which the
 2993 developer is required to fund a reserve account shall be
 2994 measured in years from the later of:

6-01522E-24

20241178__

2995 1. The date when the component or structure was replaced or
2996 substantially renewed, if the replacement or renewal of the
2997 component at least met the requirements of the then-applicable
2998 building code; or

2999 2. The date when the installation or construction of the
3000 existing component or structure was completed.

3001 (c) When the age of a component or structure is to be
3002 measured from the date of replacement or renewal, the developer
3003 shall provide the division with a certificate, under the seal of
3004 an architect or engineer authorized to practice in this state,
3005 verifying:

3006 1. The date of the replacement or renewal; and

3007 2. That the replacement or renewal at least met the
3008 requirements of the then-applicable building code.

3009 Section 23. The Division of Florida Condominiums,
3010 Timeshares, and Mobile Homes of the Department of Business and
3011 Professional Regulation shall complete a review of the website
3012 or application requirements for official records under s.
3013 718.111(12)(g), Florida Statutes, and make recommendations
3014 regarding any additional official records of a condominium
3015 association that should be included in the record maintenance
3016 requirement in the statute. The division shall submit the
3017 findings of its review to the Governor, the President of the
3018 Senate, the Speaker of the House of Representatives, and the
3019 chairs of the legislative appropriations committees and
3020 appropriate substantive committees with jurisdiction over
3021 chapter 718, Florida Statutes, by February 1, 2025.

3022 Section 24. Except as otherwise expressly provided in this
3023 act, this act shall take effect July 1, 2024.