



180646

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2024	.	
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The Committee on Commerce and Tourism (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 544 - 677

and insert:

Section 9. Section 720.406, Florida Statutes, is amended to read:

720.406 Department of Commerce ~~Economic Opportunity~~; submission; review and determination.—

(1) Within No later than 60 days after obtaining valid written consent from a majority of the affected parcel owners,



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11 or within 60 days after the date the proposed revived
12 declaration and other governing documents are approved by the
13 affected parcel owners by vote at a meeting, the organizing
14 committee or its designee must submit the proposed revived
15 governing documents and supporting materials to the Department
16 of Commerce ~~Economic Opportunity~~ to review and determine whether
17 to approve or disapprove of the proposal to preserve the
18 residential community. The submission to the department must
19 include:

20 (a) The full text of the proposed revived declaration of
21 covenants and articles of incorporation and bylaws of the
22 homeowners' association.†

23 (b) A verified copy of the previous declaration of
24 covenants and other previous governing documents for the
25 community, including any amendments thereto.†

26 (c) The legal description of each parcel to be subject to
27 the revived declaration and other governing documents and a plat
28 or other graphic depiction of the affected properties in the
29 community.†

30 (d) A verified copy of the written consents of the
31 requisite number of the affected parcel owners approving the
32 revived declaration and other governing documents or, if
33 approval was obtained by a vote at a meeting of affected parcel
34 owners, verified copies of the notice of the meeting,
35 attendance, and voting results.†

36 (e) An affidavit by a current or former officer of the
37 association or by a member of the organizing committee verifying
38 that the requirements for the revived declaration set forth in
39 s. 720.404 have been satisfied.†~~and~~



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40 (f) Such other documentation that the organizing committee
41 believes is supportive of the policy of preserving the
42 residential community and operating, managing, and maintaining
43 the infrastructure, aesthetic character, and common areas
44 serving the residential community.

45 (2) Within ~~No later than~~ 60 days after receiving the
46 submission, the department must determine whether the proposed
47 revived declaration of covenants and other governing documents
48 comply with the requirements of this act.

49 (a) If the department determines that the proposed revived
50 declaration and other governing documents comply with the act
51 and have been approved by the parcel owners as required by this
52 act, the department shall notify the organizing committee in
53 writing of its approval.

54 (b) If the department determines that the proposed revived
55 declaration and other governing documents do not comply with,
56 ~~this act~~ or have not been approved as required by, this act, the
57 department shall notify the organizing committee in writing that
58 it does not approve the governing documents and shall state the
59 reasons for the disapproval.

60 Section 10. Effective upon becoming a law, paragraph (c) of
61 subsection (3) of section 288.066, Florida Statutes, is amended
62 to read:

63 288.066 Local Government Emergency Revolving Bridge Loan
64 Program.—

65 (3) LOAN TERMS.—

66 (c) The term of the loan is up to 10 years ~~5 years~~.

67 Section 11. Effective upon becoming a law, the Department
68 of Commerce is authorized to amend a loan agreement executed



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69 before February 1, 2024, and made pursuant to s. 288.066,
70 Florida Statutes, in order to increase the loan term to a total
71 of 10 years from the original date of execution, as authorized
72 by this act, upon request of the local government and as
73 determined by the department to be in the best interests of the
74 state.

75 Section 12. Except as otherwise expressly provided in this
76 act, this act shall take effect July 1, 2024.

77
78 ===== T I T L E A M E N D M E N T =====

79 And the title is amended as follows:

80 Delete lines 42 - 48

81 and insert:

82 of the board; amending s. 720.406, F.S.; specifying
83 required actions for a proposed revived declaration
84 and other governing documents; making technical
85 changes; amending s. 288.066, F.S.; revising the
86 maximum length of a loan term under the Local
87 Government Emergency Revolving Bridge Loan Program;
88 authorizing the Department of Commerce to amend
89 certain previously executed loan agreements under
90 certain circumstances; providing effective dates.