

1 A bill to be entitled
2 An act relating to condominium associations; creating
3 s. 163.212, F.S.; providing definitions; requiring
4 certain local governments to confirm by a specified
5 date whether a structural integrity reserve study and
6 milestone inspection have been completed for certain
7 buildings and if the study and inspection report has
8 been filed with the Florida Division of Condominiums,
9 Timeshares, and Mobile Homes; requiring each local
10 government to submit a certain report to the division
11 by a specified date; amending s. 553.899, F.S.;
12 requiring local enforcement agencies to provide
13 specified information to the Department of Business
14 and Professional Regulation by a specified date and
15 annually thereafter; requiring the department to
16 provide certain information to the Office of Program
17 Policy and Government Accountability (OPPAGA);
18 authorizing OPPAGA to request additional information;
19 amending s. 718.103, F.S.; revising the definition of
20 the term "alternative funding method"; amending s.
21 718.110, F.S.; providing that the declaration of a
22 nonresidential condominium may be amended to change
23 certain provisions if all affected record owners join
24 in the execution of such amendment; requiring certain
25 documents to be served at a unit owner's address as

26 reflected in the association's official records;
27 amending s. 718.111, F.S.; requiring, rather than
28 authorizing, an association to provide adequate
29 insurance coverage; revising the requisite intent
30 necessary for criminal penalties; requiring
31 associations to maintain the most recent annual
32 financial statement and annual budget on the
33 condominium property; removing the requirement for an
34 association to provide a unit owner specified notice
35 that the most updated financial report will be
36 provided to the unit owner upon request; providing
37 legislative findings; authorizing the board of an
38 association to levy special assessments and obtain
39 loans for certain purposes without approval of the
40 membership; providing applicability; requiring an
41 association to post the adopted minutes of certain
42 meetings and certain information relating to
43 assessments and special assessments on the
44 association's website or application; amending s.
45 718.112, F.S.; authorizing an association to adopt
46 written reasonable rules governing unit owner
47 questions at a meeting; authorizing an association
48 operating a nonresidential condominium to provide for
49 different voting and election procedures; revising the
50 dollar amount of the deferred maintenance expense or

51 replacement cost threshold; authorizing members to
52 waive the maintenance of reserves if the total voting
53 interests of the association have voted to terminate
54 the condominium; authorizing the board of an
55 association to pause or reduce contributions to its
56 reserves without requiring approval from the members
57 of the association; authorizing a majority of the
58 total voting interests of certain associations to
59 approve the provision of a specified line of credit to
60 be used for certain purposes; requiring an association
61 to provide specified notice to its members before
62 voting to secure a line of credit; requiring the
63 department to adopt rules; providing that an
64 association may create reserve accounts in accordance
65 with the most recent structural integrity reserve
66 study without a vote of the members; authorizing an
67 association's reserve accounts to be pooled; requiring
68 a structural integrity reserve study for buildings
69 that have at least three habitable stories; revising
70 the dollar amount of the deferred maintenance expense
71 or replacement cost threshold; requiring certain
72 expenses or costs to be modified annually; requiring
73 the department to post revised expenses or costs on
74 its website by a specified date; specifying that a
75 conflict of interest exists if the person conducting a

76 structural integrity reserve study or milestone
77 inspection provides or contracts to provide repair or
78 replacement services on certain property; revising
79 applicability; requiring officers and directors to
80 sign a specified affidavit; requiring the department
81 to initiate rulemaking by a specified date for certain
82 purposes; prohibiting the suspension of a voting
83 interest of a condominium when voting to recall a
84 member of the board of administration; prohibiting any
85 prior suspension of voting rights from having any
86 effect; removing certain provisions relating to the
87 method for recalling members of the board; requiring
88 that a recall agreement be served on the association
89 by registered mail, rather than by certified mail or
90 by personal service; providing that service must be
91 provided in a specified manner to be valid; providing
92 that a rejection of a unit owner's recall agreement
93 applies under certain circumstances; providing that
94 there is a rebuttable presumption that a unit owner
95 executing a recall agreement is the designated voter
96 for the unit; prohibiting an association from
97 enforcing a voting certificate requirement under
98 certain circumstances; requiring that a rescission or
99 revocation of a unit owner's recall agreement be in
100 writing and delivered to the association before an

101 association is served with the written recall
102 agreement; providing construction; revising the
103 timeframe in which a certain petition or action must
104 be filed; requiring that an association be named as
105 the respondent in such petition or action; revising
106 the timeframe in which the Division of Florida
107 Condominiums, Timeshares, and Mobile Homes or a court
108 may not accept a recall petition or a court action;
109 providing that a director or an officer is delinquent
110 if payment is not made by a specified due date
111 identified in the declarations, bylaws, or articles of
112 incorporation; providing that a payment is delinquent
113 on the first day of the assessment period if no
114 specified due date is in the declarations, bylaws, or
115 articles of incorporation; amending s. 718.113, F.S.;
116 requiring the board to determine whose responsibility
117 it is to pay for removal or reinstallation of
118 hurricane protection; removing authorization for an
119 association to enforce and collect certain charges as
120 assessments; amending s. 718.116, F.S.; providing
121 legislative findings; authorizing the board of an
122 association to levy special assessments for certain
123 purposes without approval of the membership; providing
124 applicability; amending s. 718.117, F.S.; authorizing
125 termination of a condominium if the estimated costs of

126 replacement, in addition to certain construction or
127 repair costs, exceed the estimated fair market value
128 of the units; requiring approval for termination of a
129 condominium by a specified percentage of the voting
130 interests under certain circumstances; removing
131 provision prohibiting a plan of termination if a
132 certain percentage of the total voting interests
133 reject the plan; specifying how members can reject a
134 plan of termination; providing that certain provisions
135 relating to a plan of termination apply to residential
136 condominiums only; requiring a plan of termination to
137 be approved by the division; authorizing condominiums
138 to amend their declarations by a specified vote to
139 include certain provisions of statutory law; providing
140 additional reasons a unit owner or lienor can contest
141 the apportionment of proceed from a sale of the
142 condominium; amending s. 718.1255, F.S.; providing
143 requirements for bringing an action to challenge an
144 election or a recall; authorizing certain persons to
145 file a notice of removal and complaint in circuit
146 court within a specified timeframe after service of a
147 petition to arbitrate an election or recall disputes;
148 barring actions that are not timely filed and
149 rendering the arbitration decision final; providing
150 requirements for filing a notice of removal and

151 complaint and bringing an action to challenge the
152 arbitration decision; specifying the sole method in
153 which the division or court may award costs and
154 attorney fees in a dispute involving the recall of a
155 director; amending s. 718.128, F.S.; removing a
156 requirement for written notice of certain meetings;
157 requiring, after a specified percentage of voting
158 interests adopts a resolution, a board to hold a
159 meeting within a certain timeframe; requiring a board
160 to receive a petition to adopt a resolution within a
161 certain timeframe; requiring an association to have a
162 designated e-mail address for receipt of ballots
163 transmitted electronically; providing requirements for
164 electronically transmitting a ballot; providing a
165 presumption; amending s. 718.203, F.S.; providing that
166 all condominiums, not just residential, can be covered
167 by an insured warranty program; amending s. 718.301,
168 F.S.; providing that certain provisions of law
169 relating to transfer of control of an association do
170 not apply to certain residential condominiums
171 beginning on a specified date; amending s. 718.302,
172 F.S.; providing that if unit owners own a specified
173 percentage of voting interests in certain condominiums
174 that certain agreements may be cancelled by the unit
175 owners; amending s. 718.407, F.S.; requiring that a

176 specified report be provided to an association within
177 a certain amount of time after the end of the fiscal
178 year; requiring copies of receipts and invoices be
179 included with the report; authorizing the division to
180 impose penalties under certain circumstances;
181 authorizing an association to challenge the
182 apportionment of certain costs of the shared
183 facilities within a certain amount of time; providing
184 construction; amending s. 718.501, F.S.; authorizing
185 the division to review records and investigate certain
186 complaints; requiring each association to create and
187 maintain an online account with the division with
188 specified information; requiring the division to adopt
189 rules; requiring associations to provide specified
190 information in electronic format to the division by a
191 specified date; requiring such information be updated
192 within a specified timeframe; removing requirements
193 for certain information to be provided to the
194 division; amending s. 718.503, F.S.; revising
195 specified notices; requiring a developer or unit owner
196 to provide one notice, instead of two, to a buyer
197 before the sale of a unit; requiring a unit owner to
198 provide the most recent annual financial statement and
199 annual budget to a buyer before the sale of a unit;
200 amending ch. 2024-244, Laws of Florida; providing that

certain amendments that were made to the Condominium Act do not revive, reinstate, or retroactively apply to a right or interest of a condominium unit owner or condominium association in a matter pending adjudication before a specified date; amending s. 914.21, F.S.; revising the definition of the term "official investigation"; providing effective dates.

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

Section 1. Section 163.212, Florida Statutes, is created to read:

163.212 Structural building safety.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Division" means the Florida Division of Condominiums, Timeshares, and Mobile Homes.

(b) "Local government" means a county or municipality of this state.

(c) "Milestone inspection" means a structural inspection of condominium property as required under s. 553.899, including an inspection of load-bearing elements and the primary structural members and primary structural systems, as those terms are defined in s. 627.706(2).

(d) "Structural integrity reserve study" means a study of a condominium association's reserve funds required for future

major repairs and replacement of condominium property as
required under s. 718.112(2)(g).

(2) CONFIRMATION OF STATUTORY REQUIREMENTS.—On or before
October 1, 2025, each local government that has authorized and
permitted the construction of a building that is three habitable
stories or more in height and subject to the condominium form of
ownership as a residential condominium under chapter 718 must
confirm with each condominium association that the structural
integrity reserve study and milestone inspection have been
completed for each building on the condominium property subject
to such requirement and that the study and inspection report has
been filed with the division, or that the condominium
association has failed to complete and file the requisite
structural integrity reserve study or milestone inspection
report.

(3) REPORTING REQUIREMENTS.—On or before December 31,
2025, each local government shall report to the division its
findings on whether each condominium association within the
local government's jurisdiction has completed or has failed to
complete the structural integrity reserve study or milestone
inspection.

**Section 2. Subsections (12) and (13) of section 553.899,
Florida Statutes, are renumbered as subsections (14) and (15),
respectively, subsection (11) of that section is amended, and
new subsections (12) and (13) are added to that section, to**

251 **read:**

252 553.899 Mandatory structural inspections for condominium
253 and cooperative buildings.—

254 (11) (a) A board of county commissioners or municipal
255 governing body may adopt an ordinance requiring that a
256 ~~condominium or~~ cooperative association and any other owner that
257 is subject to this section schedule or commence repairs for
258 substantial structural deterioration within a specified
259 timeframe after the local enforcement agency receives a phase
260 two inspection report; however, such repairs must be commenced
261 within 365 days after receiving such report. If an owner of the
262 building fails to submit proof to the local enforcement agency
263 that repairs have been scheduled or have commenced for
264 substantial structural deterioration identified in a phase two
265 inspection report within the required timeframe, the local
266 enforcement agency must review and determine if the building is
267 unsafe for human occupancy.

268 (b) A board of county commissioners or municipal governing
269 body shall adopt an ordinance requiring that a condominium
270 association schedule or commence repairs for substantial
271 structural deterioration within a specified timeframe after the
272 local enforcement agency receives a phase two inspection report;
273 however, such repairs must be commenced within 365 days after
274 receiving such report. If an owner of the building fails to
275 submit proof to the local enforcement agency that repairs have

276 been scheduled or have commenced for substantial structural
277 deterioration identified in a phase two inspection report within
278 the required timeframe, the local enforcement agency must review
279 and determine if the building is unsafe for human occupancy.

280 (12) On or before October 1, 2025, and on or before
281 December 31 each year thereafter, the local enforcement agency
282 responsible for milestone inspections conducted on buildings
283 three stories or more in height which are subject to the
284 condominium form of ownership under chapter 718 must provide all
285 of the following information to the Department of Business and
286 Professional Regulation, in an electronic format determined by
287 the department:

288 (a) The number of buildings required to have a milestone
289 inspection within the local enforcement agency's jurisdiction.

290 (b) The number of buildings for which a phase one
291 milestone inspection has been completed.

292 (c) The number of buildings granted an extension under
293 paragraph (3) (c).

294 (d) The number of buildings required to have a phase two
295 milestone inspection.

296 (e) The number of buildings for which a phase two
297 milestone inspection has been completed.

298 (f) The number, type, and value of permits applied for to
299 complete repairs based on a phase two milestone inspection.

300 (g) A list of buildings deemed to be unsafe or

301 uninhabitable based on a milestone inspection.

302 (h) The license number of the building code administrator
303 responsible for milestone inspections for the local enforcement
304 agency.

305 (13) The Department of Business and Professional
306 Regulation shall provide to the Office of Program Policy
307 Analysis and Government Accountability (OPPAGA) all information
308 obtained from the local enforcement agencies under subsection
309 (12) by the date specified, and in a manner prescribed by
310 OPPAGA. OPPAGA may request from a local enforcement agency any
311 additional information necessary to complete the report.

312 **Section 3. Subsection (1) of section 718.103, Florida**
313 **Statutes, is amended to read:**

314 718.103 Definitions.—As used in this chapter, the term:

315 (1) "Alternative funding method" means a method approved
316 by the division for funding the capital expenditures and
317 deferred maintenance obligations for a multicondominium
318 association ~~operating at least 25 condominiums~~ which may
319 reasonably be expected to fully satisfy the association's
320 reserve funding obligations by the allocation of funds in the
321 annual operating budget.

322 **Section 4. Subsections (4) and (10) of section 718.110,**
323 **Florida Statutes, are amended to read:**

324 718.110 Amendment of declaration; correction of error or
325 omission in declaration by circuit court.—

326 (4) (a) Subject to paragraph (b), unless otherwise provided
327 in the declaration as originally recorded, an ~~no~~ amendment may
328 not change the configuration or size of any unit in any material
329 fashion, materially alter or modify the appurtenances to the
330 unit, or change the proportion or percentage by which the unit
331 owner shares the common expenses of the condominium and owns the
332 common surplus of the condominium unless the record owner of the
333 unit and all record owners of liens on the unit join in the
334 execution of the amendment and unless all the record owners of
335 all other units in the same condominium approve the amendment.
336 The acquisition of property by the association and material
337 alterations or substantial additions to such property or the
338 common elements by the association in accordance with s.
339 718.111(7) or s. 718.113, and amendments providing for the
340 transfer of use rights in limited common elements pursuant to s.
341 718.106(2) (b) may not be considered ~~shall not be deemed to~~
342 ~~constitute~~ a material alteration or modification of the
343 appurtenances to the units. Except as provided in paragraph (b),
344 a declaration recorded after April 1, 1992, may not require the
345 approval of less than a majority of total voting interests of
346 the condominium for amendments under this subsection, unless
347 otherwise required by a governmental entity.

348 (b) Notwithstanding subsection (14), the declaration of a
349 nonresidential condominium formed on or after July 1, 2025, may
350 be amended to change the configuration or size of a unit in any

351 material fashion, materially alter or modify the appurtenances
352 to the unit, or change the proportion or percentage by which the
353 unit owner shares the common expenses of the condominium and
354 owns the common surplus of the condominium, if the record owners
355 of all affected units and all record owners of liens on the
356 affected units join in the execution of the amendment. The
357 approval of the record owners of the nonaffected units in such
358 condominium is not required.

359 (10) If there is an omission or error in a declaration of
360 condominium, or any other document required to establish the
361 condominium, and the omission or error would affect the valid
362 existence of the condominium, the circuit court may entertain a
363 petition of one or more of the unit owners in the condominium,
364 or of the association, to correct the error or omission, and the
365 action may be a class action. The court may require that one or
366 more methods of correcting the error or omission be submitted to
367 the unit owners to determine the most acceptable correction. All
368 unit owners, the association, and the mortgagees of a first
369 mortgage of record must be joined as parties to the action.
370 Service of process on unit owners may be by publication, but the
371 plaintiff must furnish every unit owner not personally served
372 with process with a copy of the petition and final decree of the
373 court by certified mail, return receipt requested, at the unit
374 owner's ~~last known residence~~ address as reflected in the
375 association's official records. If an action to determine

whether the declaration or another condominium document complies with the mandatory requirements for the formation of a condominium is not brought within 3 years of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4) (e) or the recording of an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first, the declaration and other documents will effectively create a condominium, as of the date the declaration was recorded, regardless of whether the documents substantially comply with the mandatory requirements of law. However, both before and after the expiration of this 3-year period, the circuit court has jurisdiction to entertain a petition permitted under this subsection for the correction of the documentation, and other methods of amendment may be utilized to correct the errors or omissions at any time.

Section 5. Paragraph (a) of subsection (11), paragraphs (a) and (c) of subsection (12), and subsection (13) of section 718.111, Florida Statutes, are amended, and subsection (16) is added to that section, to read:

718.111 The association.—

(11) INSURANCE.—In order to protect the safety, health, and welfare of the people of the State of Florida and to ensure consistency in the provision of insurance coverage to condominiums and their unit owners, this subsection applies to

every residential condominium in the state, regardless of the date of its declaration of condominium. It is the intent of the Legislature to encourage lower or stable insurance premiums for associations described in this subsection.

(a) Every condominium association must provide adequate property insurance as determined under this paragraph, regardless of any requirement in the declaration of condominium for certain coverage by the association ~~for full insurable value, replacement cost, or similar coverage, must be based on the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal. The replacement cost must be determined at least once every 36 months.~~

1. An association or group of associations may provide adequate property insurance through a self-insurance fund that complies with the requirements of ss. 624.460-624.488.

2. The amount of adequate insurance coverage for full insurable value, replacement cost, or similar coverage may be based on the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a previous appraisal. The replacement cost of property covered must be determined every 3 years, at a minimum.

3.2- The association's obligation to obtain and ~~association may also~~ provide adequate property insurance coverage for a group of at least three communities created and

operating under this chapter, chapter 719, chapter 720, or chapter 721 may be satisfied by obtaining and maintaining for such communities insurance coverage sufficient to cover an amount equal to the probable maximum loss for the communities for a 250-year windstorm event.

a. Such probable maximum loss must be determined through the use of a competent model that has been accepted by the Florida Commission on Hurricane Loss Projection Methodology.

b. A policy or program providing such coverage may not be issued or renewed after July 1, 2008, unless it has been reviewed and approved by the Office of Insurance Regulation. The review and approval must include approval of the policy and related forms pursuant to ss. 627.410 and 627.411, approval of the rates pursuant to s. 627.062, a determination that the loss model approved by the commission was accurately and appropriately applied to the insured structures to determine the 250-year probable maximum loss, and a determination that complete and accurate disclosure of all material provisions is provided to condominium unit owners before execution of the agreement by a condominium association.

~~4.3.~~ When determining the adequate amount of property insurance coverage, the association may consider deductibles as determined by this subsection.

(12) OFFICIAL RECORDS.—

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

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

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

455 2. A photocopy of the recorded declaration of condominium
456 of each condominium operated by the association and each
457 amendment to each declaration.

458 3. A photocopy of the recorded bylaws of the association
459 and each amendment to the bylaws.

460 4. A certified copy of the articles of incorporation of
461 the association, or other documents creating the association,
462 and each amendment thereto.

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

464 6. A book or books that contain the minutes of all
465 meetings of the association, the board of administration, and
466 the unit owners.

467 7. A current roster of all unit owners and their mailing
468 addresses, unit identifications, voting certifications, and, if
469 known, telephone numbers. The association shall also maintain
470 the e-mail addresses and facsimile numbers of unit owners
471 consenting to receive notice by electronic transmission. In
472 accordance with sub-subparagraph (c)4.e. ~~(c)5.e.~~, the e-mail
473 addresses and facsimile numbers are only accessible to unit
474 owners if consent to receive notice by electronic transmission
475 is provided, or if the unit owner has expressly indicated that

such personal information can be shared with other unit owners and the unit owner has not provided the association with a request to opt out of such dissemination with other unit owners. An association must ensure that the e-mail addresses and facsimile numbers are only used for the business operation of the association and may not be sold or shared with outside third parties. If such personal information is included in documents that are released to third parties, other than unit owners, the association must redact such personal information before the document is disseminated. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices unless such disclosure was made with a knowing or intentional disregard of the protected nature of such information.

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

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

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

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or

destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s.

718.501(1)(e). The accounting records must include, but are not limited to:

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

b. All invoices, transaction receipts, or deposit slips that substantiate any receipt or expenditure of funds by the association.

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

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

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

12. Ballots, sign-in sheets, voting proxies, and all other

papers and electronic records relating to voting by unit owners, which must be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

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

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

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

16. Bids for materials, equipment, or services.

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

18. A copy of all building permits.

19. A copy of all satisfactorily completed board member educational certificates.

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

(c)1.a. The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such

551 member at all reasonable times. The right to inspect the records
552 includes the right to make or obtain copies, at the reasonable
553 expense, if any, of the member and of the person authorized by
554 the association member as a representative of such member. A
555 renter of a unit has a right to inspect and copy only the
556 declaration of condominium, the association's bylaws and rules,
557 and the inspection reports described in ss. 553.899 and
558 718.301(4) (p). The association may adopt reasonable rules
559 regarding the frequency, time, location, notice, and manner of
560 record inspections and copying but may not require a member to
561 demonstrate any purpose or state any reason for the inspection.
562 The failure of an association to provide the records within 10
563 working days after receipt of a written request creates a
564 rebuttable presumption that the association willfully failed to
565 comply with this paragraph. A unit owner who is denied access to
566 official records is entitled to the actual damages or minimum
567 damages for the association's willful failure to comply. Minimum
568 damages are \$50 per calendar day for up to 10 days, beginning on
569 the 11th working day after receipt of the written request. The
570 failure to permit inspection entitles any person prevailing in
571 an enforcement action to recover reasonable attorney fees from
572 the person in control of the records who, directly or
573 indirectly, knowingly denied access to the records. If the
574 requested records are posted on an association's website, or are
575 available for download through an application on a mobile

576 device, the association may fulfill its obligations under this
577 paragraph by directing to the website or the application all
578 persons authorized to request access.

579 b. In response to a written request to inspect records,
580 the association must simultaneously provide to the requestor a
581 checklist of all records made available for inspection and
582 copying. The checklist must also identify any of the
583 association's official records that were not made available to
584 the requestor. An association must maintain a checklist provided
585 under this sub-subparagraph for 7 years. An association
586 delivering a checklist pursuant to this sub-subparagraph creates
587 a rebuttable presumption that the association has complied with
588 this paragraph.

589 2. A director or member of the board or association or a
590 community association manager who knowingly and ~~willfully or~~
591 ~~intentionally, and repeatedly~~ violates subparagraph 1. commits a
592 misdemeanor of the second degree, punishable as provided in s.
593 775.082 or s. 775.083, and must be removed from office and a
594 vacancy declared. ~~For purposes of this subparagraph, the term~~
595 ~~"repeatedly" means two or more violations within a 12-month~~
596 ~~period.~~

597 3. Any person who willfully and knowingly or intentionally
598 defaces or destroys accounting records that are required by this
599 chapter to be maintained during the period for which such
600 records are required to be maintained, or who willfully and

601 knowingly or intentionally fails to create or maintain
602 accounting records that are required to be created or
603 maintained, with the intent of causing harm to the association
604 or one or more of its members, commits a misdemeanor of the
605 first degree, punishable as provided in s. 775.082 or s.
606 775.083; is personally subject to a civil penalty pursuant to s.
607 718.501(1)(d); and must be removed from office and a vacancy
608 declared.

609 4. A person who willfully and knowingly or intentionally
610 refuses to release or otherwise produce association records with
611 the intent to avoid or escape detection, arrest, trial, or
612 punishment for the commission of a crime, or to assist another
613 person with such avoidance or escape, commits a felony of the
614 third degree, punishable as provided in s. 775.082, s. 775.083,
615 or s. 775.084, and must be removed from office and a vacancy
616 declared.

617 5. The association shall maintain an adequate number of
618 copies of the declaration, articles of incorporation, bylaws,
619 and rules, and all amendments to each of the foregoing, as well
620 as the question and answer sheet as described in s. 718.504 and
621 the most recent annual financial statement and annual budget
622 ~~year-end financial information~~ required under this section, on
623 the condominium property to ensure their availability to unit
624 owners and prospective purchasers, and may charge its actual
625 costs for preparing and furnishing these documents to those

626 requesting the documents. An association shall allow a member or
627 his or her authorized representative to use a portable device,
628 including a smartphone, tablet, portable scanner, or any other
629 technology capable of scanning or taking photographs, to make an
630 electronic copy of the official records in lieu of the
631 association's providing the member or his or her authorized
632 representative with a copy of such records. The association may
633 not charge a member or his or her authorized representative for
634 the use of a portable device. Notwithstanding this paragraph,
635 the following records are not accessible to unit owners:

636 a. Any record protected by the lawyer-client privilege as
637 described in s. 90.502 and any record protected by the work-
638 product privilege, including a record prepared by an association
639 attorney or prepared at the attorney's express direction, which
640 reflects a mental impression, conclusion, litigation strategy,
641 or legal theory of the attorney or the association, and which
642 was prepared exclusively for civil or criminal litigation or for
643 adversarial administrative proceedings, or which was prepared in
644 anticipation of such litigation or proceedings until the
645 conclusion of the litigation or proceedings.

646 b. Information obtained by an association in connection
647 with the approval of the lease, sale, or other transfer of a
648 unit.

649 c. Personnel records of association or management company
650 employees, including, but not limited to, disciplinary, payroll,

health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is

676 voluntarily provided by an owner and not requested by the
677 association.

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

680 g. The software and operating system used by the
681 association which allow the manipulation of data, even if the
682 owner owns a copy of the same software used by the association.
683 The data is part of the official records of the association.

684 h. All affirmative acknowledgments made pursuant to s.
685 718.121(4)(c).

686 (13) FINANCIAL REPORTING.—Within 90 days after the end of
687 the fiscal year, or annually on a date provided in the bylaws,
688 the association shall prepare and complete, or contract for the
689 preparation and completion of, a financial report for the
690 preceding fiscal year. Within 21 days after the final financial
691 report is completed by the association or received from the
692 third party, but not later than 120 days after the end of the
693 fiscal year or other date as provided in the bylaws, the
694 association shall deliver to each unit owner by United States
695 mail or personal delivery at the mailing address, property
696 address, e-mail address, or facsimile number provided to fulfill
697 the association's notice requirements, a copy of the most recent
698 financial report, ~~and a notice that a copy of the most recent~~
699 ~~financial report will be mailed or hand delivered to the unit~~
700 ~~owner, without charge, within 5 business days after receipt of a~~

~~written request from the unit owner.~~ The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

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

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

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

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

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

731 2. A report of cash receipts and disbursements must
732 disclose the amount of receipts by accounts and receipt
733 classifications and the amount of expenses by accounts and
734 expense classifications, including, but not limited to, the
735 following, as applicable: costs for security, professional and
736 management fees and expenses, taxes, costs for recreation
737 facilities, expenses for refuse collection and utility services,
738 expenses for lawn care, costs for building maintenance and
739 repair, insurance costs, administration and salary expenses, and
740 reserves accumulated and expended for capital expenditures,
741 deferred maintenance, and any other category for which the
742 association maintains reserves.

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

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

748 2. Reviewed or audited financial statements, if the
749 association is required to prepare compiled financial
750 statements; or

751 3. Audited financial statements if the association is
752 required to prepare reviewed financial statements.

753 (d) If approved by a majority of the voting interests
754 present at a properly called meeting of the association, an
755 association may prepare:

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

758 2. A report of cash receipts and expenditures or a
759 compiled financial statement in lieu of a reviewed or audited
760 financial statement; or

761 3. A report of cash receipts and expenditures, a compiled
762 financial statement, or a reviewed financial statement in lieu
763 of an audited financial statement.

764
765 Such meeting and approval must occur before the end of the
766 fiscal year and is effective only for the fiscal year in which
767 the vote is taken. An association may not prepare a financial
768 report pursuant to this paragraph for consecutive fiscal years.
769 If the developer has not turned over control of the association,
770 all unit owners, including the developer, may vote on issues
771 related to the preparation of the association's financial
772 reports, from the date of incorporation of the association
773 through the end of the second fiscal year after the fiscal year
774 in which the certificate of a surveyor and mapper is recorded
775 pursuant to s. 718.104(4)(e) or an instrument that transfers

776 title to a unit in the condominium which is not accompanied by a
777 recorded assignment of developer rights in favor of the grantee
778 of such unit is recorded, whichever occurs first. Thereafter,
779 all unit owners except the developer may vote on such issues
780 until control is turned over to the association by the
781 developer. Any audit or review prepared under this section shall
782 be paid for by the developer if done before turnover of control
783 of the association.

784 (e) A unit owner may provide written notice to the
785 division of the association's failure to mail or hand deliver
786 him or her a copy of the most recent financial report within 5
787 business days after he or she submitted a written request to the
788 association for a copy of such report. If the division
789 determines that the association failed to mail or hand deliver a
790 copy of the most recent financial report to the unit owner, the
791 division shall provide written notice to the association that
792 the association must mail or hand deliver a copy of the most
793 recent financial report to the unit owner and the division
794 within 5 business days after it receives such notice from the
795 division. An association that fails to comply with the
796 division's request may not waive the financial reporting
797 requirement provided in paragraph (d) for the fiscal year in
798 which the unit owner's request was made and the following fiscal
799 year. A financial report received by the division pursuant to
800 this paragraph shall be maintained, and the division shall

801 provide a copy of such report to an association member upon his
802 or her request.

803 (16) SPECIAL ASSESSMENTS AND OBTAINING LOANS.—

804 (a)1. The Legislature finds that:

805 a. Condominiums are created as authorized by statute and
806 are subject to covenants that encumber the land and restrict the
807 use of real property.

808 b. In some circumstances, the declaration, articles of
809 incorporation, or bylaws of an association restrict the
810 authority of the board of administration to levy special
811 assessments or to obtain a loan without first receiving approval
812 of the membership, which may preclude an association from
813 obtaining immediate funding to carry out its obligations to
814 perform necessary maintenance, repair, or replacement of the
815 condominium property as required by the milestone inspection
816 report and structural integrity reserve study report in order to
817 protect the health and safety of the unit owners and tenants of
818 the property.

819 c. It is contrary to the public policy of this state to
820 limit the ability of an association to obtain the funds needed
821 to perform necessary maintenance, repair, or replacement of the
822 condominium property as required by the milestone inspection
823 report and structural integrity reserve study report in order to
824 protect the health and safety of the unit owners and tenants of
825 the property.

d. It is in the best interest of this state to provide a method for the boards of administration of associations to obtain the funds needed to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report without the approval of the membership in order to protect the health and safety of the unit owners and tenants of the property.

2. The Legislature further finds that authorizing the board of administration of an association to meet its fiduciary duty, to levy special assessments, and to obtain a loan for necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report in order to protect the health and safety of the unit owners and tenants of the property is in the public interest; that requiring an association to obtain membership approval endangers the public safety; and that there is a compelling state interest in enabling the board of administration of an association to levy special assessments and obtain loans to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report without the approval of the membership in order to protect the health and safety of the unit owners and tenants of the property.

851 (b) Notwithstanding any provision to the contrary
852 contained in an association's declaration, articles of
853 incorporation, or bylaws, the board of administration of an
854 association may levy special assessments and obtain a loan to
855 perform necessary maintenance, repair, or replacement of the
856 condominium property as required by the milestone inspection
857 report and structural integrity reserve study report without the
858 approval of the membership in order to protect the health and
859 safety of the unit owners and tenants of the property.

860 (c) This section applies to all condominiums in existence
861 on or after July 1, 2025, which are not controlled by the
862 developer as defined in s. 718.103 or a bulk assignee or bulk
863 buyer, as those terms are defined in s. 718.703.

864 **Section 6. Effective January 1, 2026, paragraph (g) of**
865 **subsection (12) of section 718.111, Florida Statutes, as amended**
866 **by section 8 of 2024-244, Laws of Florida, is amended to read:**

867 718.111 The association.—

868 (12) OFFICIAL RECORDS.—

869 (g)1. An association managing a condominium with 25 or
870 more units which does not contain timeshare units shall post
871 digital copies of the documents specified in subparagraph 2. on
872 its website or make such documents available through an
873 application that can be downloaded on a mobile device.

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

875 (I) An independent website, application, or web portal

876 wholly owned and operated by the association; or

877 (II) A website, application, or web portal operated by a
878 third-party provider with whom the association owns, leases,
879 rents, or otherwise obtains the right to operate a web page,
880 subpage, web portal, collection of subpages or web portals, or
881 an application which is dedicated to the association's
882 activities and on which required notices, records, and documents
883 may be posted or made available by the association.

884 b. The association's website or application must be
885 accessible through the Internet and must contain a subpage, web
886 portal, or other protected electronic location that is
887 inaccessible to the general public and accessible only to unit
888 owners and employees of the association.

889 c. Upon a unit owner's written request, the association
890 must provide the unit owner with a username and password and
891 access to the protected sections of the association's website or
892 application which contain any notices, records, or documents
893 that must be electronically provided.

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

897 a. The recorded declaration of condominium of each
898 condominium operated by the association and each amendment to
899 each declaration.

900 b. The recorded bylaws of the association and each

901 amendment to the bylaws.

902 c. The articles of incorporation of the association, or
903 other documents creating the association, and each amendment to
904 the articles of incorporation or other documents. The copy
905 posted pursuant to this sub-subparagraph must be a copy of the
906 articles of incorporation filed with the Department of State.

907 d. The rules of the association.

908 e. The approved minutes of all meetings of the board of
909 administration over the preceding 12 months.

910 f.e. A list of all executory contracts or documents to
911 which the association is a party or under which the association
912 or the unit owners have an obligation or responsibility and,
913 after bidding for the related materials, equipment, or services
914 has closed, a list of bids received by the association within
915 the past year. Summaries of bids for materials, equipment, or
916 services which exceed \$500 must be maintained on the website or
917 application for 1 year. In lieu of summaries, complete copies of
918 the bids may be posted.

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

921 h.g. The financial report required by subsection (13) and
922 any monthly income or expense statement to be considered at a
923 meeting.

924 i.h. The certification of each director required by s.
925 718.112(2)(d)4.b.

926 ~~j.i.~~ All contracts or transactions between the association
927 and any director, officer, corporation, firm, or association
928 that is not an affiliated condominium association or any other
929 entity in which an association director is also a director or
930 officer and financially interested.

931 ~~k.j.~~ Any contract or document regarding a conflict of
932 interest or possible conflict of interest as provided in ss.
933 468.4335, 468.436(2)(b)6., and 718.3027(3).

934 ~~l.k.~~ The notice of any unit owner meeting and the agenda
935 for the meeting, as required by s. 718.112(2)(d)3., no later
936 than 14 days before the meeting. The notice must be posted in
937 plain view on the front page of the website or application, or
938 on a separate subpage of the website or application labeled
939 "Notices" which is conspicuously visible and linked from the
940 front page. The association must also post on its website or
941 application any document to be considered and voted on by the
942 owners during the meeting or any document listed on the agenda
943 at least 7 days before the meeting at which the document or the
944 information within the document will be considered.

945 ~~m.l.~~ Notice of any board meeting, the agenda, and any
946 other document required for the meeting as required by s.
947 718.112(2)(c), which must be posted no later than the date
948 required for notice under s. 718.112(2)(c).

949 ~~n.m.~~ The inspection reports described in ss. 553.899 and
950 718.301(4)(p) and any other inspection report relating to a

951 structural or life safety inspection of condominium property.

952 ~~o.n.~~ The association's most recent structural integrity
953 reserve study, if applicable.

954 p. Copies of all assessments and special assessments for
955 the previous 2 years and an itemized list indicating which
956 assessments and special assessments are related to the milestone
957 inspection report as provided under s. 553.899 and which
958 assessments and special assessments are related to the
959 association's most recent structural integrity reserve study, if
960 applicable.

961 ~~q.e.~~ Copies of all building permits issued for ongoing or
962 planned construction.

963 3. The association shall ensure that the information and
964 records described in paragraph (c), which are not allowed to be
965 accessible to unit owners, are not posted on the association's
966 website or application. If protected information or information
967 restricted from being accessible to unit owners is included in
968 documents that are required to be posted on the association's
969 website or application, the association shall ensure the
970 information is redacted before posting the documents.

971 Notwithstanding the foregoing, the association or its agent is
972 not liable for disclosing information that is protected or
973 restricted under this paragraph unless such disclosure was made
974 with a knowing or intentional disregard of the protected or
975 restricted nature of such information.

976 4. The failure of the association to post information
977 required under subparagraph 2. is not in and of itself
978 sufficient to invalidate any action or decision of the
979 association's board or its committees.

980 **Section 7. Paragraphs (c), (d), (f), (g), (l), and (p) of**
981 **subsection (2) of section 718.112, Florida Statutes, are**
982 **amended, and paragraph (m) of that subsection is republished, to**
983 **read:**

984 718.112 Bylaws.—

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

988 (c) Board of administration meetings.—In a residential
989 condominium association of more than 10 units, the board of
990 administration shall meet at least once each quarter. At least
991 four times each year, the meeting ~~agenda~~ must include an
992 opportunity for members to ask questions of the board, including
993 questions relating to the status of any construction or repair
994 projects, the status of all revenue and expenditures during the
995 current fiscal year, and any other issues affecting the
996 condominium. Meetings of the board of administration at which a
997 quorum of the members is present are open to all unit owners.
998 Members of the board of administration may use e-mail as a means
999 of communication but may not cast a vote on an association
1000 matter via e-mail. A unit owner may tape record or videotape the

meetings. The right to attend such meetings includes the right to speak at such meetings with reference to all designated agenda items ~~and the right to ask questions relating to reports on the status of construction or repair projects, the status of revenues and expenditures during the current fiscal year, and other issues affecting the condominium.~~ The division shall adopt reasonable rules governing the tape recording and videotaping of the meeting. The association may adopt written reasonable rules governing the frequency, duration, and manner of unit owner statements and questions.

1. Adequate notice of all board meetings, which must specifically identify all agenda items, must be posted conspicuously on the condominium property at least 48 continuous hours before the meeting except in an emergency. If 20 percent of the voting interests petition the board to address an item of business, the board, within 60 days after receipt of the petition, shall place the item on the agenda at its next regular board meeting or at a special meeting called for that purpose. An item not included on the notice may be taken up on an emergency basis by a vote of at least a majority plus one of the board members. Such emergency action must be noticed and ratified at the next regular board meeting. Written notice of a meeting at which a nonemergency special assessment or an amendment to rules regarding unit use will be considered must be mailed, delivered, or electronically transmitted to the unit

owners and posted conspicuously on the condominium property at least 14 days before the meeting. Evidence of compliance with this 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.

2. Upon notice to the unit owners, the board shall, by duly adopted rule, designate a specific location on the condominium property at which all notices of board meetings must be posted. If there is no condominium property at which notices can be posted, notices shall be mailed, delivered, or electronically transmitted to each unit owner at least 14 days before the meeting. In lieu of or in addition to the physical posting of the notice on the condominium property, the association may, by reasonable rule, adopt a procedure for conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. However, if broadcast notice is used in lieu of a notice physically posted on condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section. If broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. In addition to any

1051 of the authorized means of providing notice of a meeting of the
1052 board, the association may, by rule, adopt a procedure for
1053 conspicuously posting the meeting notice and the agenda on a
1054 website serving the condominium association for at least the
1055 minimum period of time for which a notice of a meeting is also
1056 required to be physically posted on the condominium property.
1057 Any rule adopted shall, in addition to other matters, include a
1058 requirement that the association send an electronic notice in
1059 the same manner as a notice for a meeting of the members, which
1060 must include a hyperlink to the website at which the notice is
1061 posted, to unit owners whose e-mail addresses are included in
1062 the association's official records.

1063 3. Notice of any meeting in which regular or special
1064 assessments against unit owners are to be considered must
1065 specifically state that assessments will be considered and
1066 provide the estimated cost and description of the purposes for
1067 such assessments. If an agenda item relates to the approval of a
1068 contract for goods or services, a copy of the contract must be
1069 provided with the notice and be made available for inspection
1070 and copying upon a written request from a unit owner or made
1071 available on the association's website or through an application
1072 that can be downloaded on a mobile device.

1073 4. Meetings of a committee to take final action on behalf
1074 of the board or make recommendations to the board regarding the
1075 association budget are subject to this paragraph. Meetings of a

1076 committee that does not take final action on behalf of the board
1077 or make recommendations to the board regarding the association
1078 budget are subject to this section, unless those meetings are
1079 exempted from this section by the bylaws of the association.

1080 5. Notwithstanding any other law, the requirement that
1081 board meetings and committee meetings be open to the unit owners
1082 does not apply to:

1083 a. Meetings between the board or a committee and the
1084 association's attorney, with respect to proposed or pending
1085 litigation, if the meeting is held for the purpose of seeking or
1086 rendering legal advice; or

1087 b. Board meetings held for the purpose of discussing
1088 personnel matters.

1089 (d) Unit owner meetings.—

1090 1. An annual meeting of the unit owners must be held at
1091 the location provided in the association bylaws and, if the
1092 bylaws are silent as to the location, the meeting must be held
1093 within 45 miles of the condominium property. However, such
1094 distance requirement does not apply to an association governing
1095 a timeshare condominium.

1096 2. Unless the bylaws provide otherwise, a vacancy on the
1097 board caused by the expiration of a director's term must be
1098 filled by electing a new board member, and the election must be
1099 by secret ballot. An election is not required if the number of
1100 vacancies equals or exceeds the number of candidates. For

purposes of this paragraph, the term "candidate" means an eligible person who has timely submitted the written notice, as described in sub-subparagraph 4.a., of his or her intention to become a candidate. Except in a timeshare or nonresidential condominium, or if the staggered term of a board member does not expire until a later annual meeting, or if all members' terms would otherwise expire but there are no candidates, the terms of all board members expire at the annual meeting, and such members may stand for reelection unless prohibited by the bylaws. Board members may serve terms longer than 1 year if permitted by the bylaws or articles of incorporation. A board member may not serve more than 8 consecutive years unless approved by an affirmative vote of unit owners representing two-thirds of all votes cast in the election or unless there are not enough eligible candidates to fill the vacancies on the board at the time of the vacancy. Only board service that occurs on or after July 1, 2018, may be used when calculating a board member's term limit. If the number of board members whose terms expire at the annual meeting equals or exceeds the number of candidates, the candidates become members of the board effective upon the adjournment of the annual meeting. Unless the bylaws provide otherwise, any remaining vacancies shall be filled by the affirmative vote of the majority of the directors making up the newly constituted board even if the directors constitute less than a quorum or there is only one director. In a residential

1126 condominium association of more than 10 units or in a
1127 residential condominium association that does not include
1128 timeshare units or timeshare interests, co-owners of a unit may
1129 not serve as members of the board of directors at the same time
1130 unless they own more than one unit or unless there are not
1131 enough eligible candidates to fill the vacancies on the board at
1132 the time of the vacancy. A unit owner in a residential
1133 condominium desiring to be a candidate for board membership must
1134 comply with sub-subparagraph 4.a. and must be eligible to be a
1135 candidate to serve on the board of directors at the time of the
1136 deadline for submitting a notice of intent to run in order to
1137 have his or her name listed as a proper candidate on the ballot
1138 or to serve on the board. A person who has been suspended or
1139 removed by the division under this chapter, or who is delinquent
1140 in the payment of any assessment due to the association, is not
1141 eligible to be a candidate for board membership and may not be
1142 listed on the ballot. For purposes of this paragraph, a person
1143 is delinquent if a payment is not made by the due date as
1144 specifically identified in the declaration of condominium,
1145 bylaws, or articles of incorporation. If a due date is not
1146 specifically identified in the declaration of condominium,
1147 bylaws, or articles of incorporation, the due date is the first
1148 day of the assessment period. A person who has been convicted of
1149 any felony in this state or in a United States District or
1150 Territorial Court, or who has been convicted of any offense in

1151 another jurisdiction which would be considered a felony if
1152 committed in this state, is not eligible for board membership
1153 unless such felon's civil rights have been restored for at least
1154 5 years as of the date such person seeks election to the board.
1155 The validity of an action by the board is not affected if it is
1156 later determined that a board member is ineligible for board
1157 membership due to having been convicted of a felony. This
1158 subparagraph does not limit the term of a member of the board of
1159 a nonresidential or timeshare condominium.

1160 3. The bylaws must provide the method of calling meetings
1161 of unit owners, including annual meetings. Written notice of an
1162 annual meeting must include an agenda; be mailed, hand
1163 delivered, or electronically transmitted to each unit owner at
1164 least 14 days before the annual meeting; and be posted in a
1165 conspicuous place on the condominium property or association
1166 property at least 14 continuous days before the annual meeting.
1167 Written notice of a meeting other than an annual meeting must
1168 include an agenda; be mailed, hand delivered, or electronically
1169 transmitted to each unit owner; and be posted in a conspicuous
1170 place on the condominium property or association property within
1171 the timeframe specified in the bylaws. If the bylaws do not
1172 specify a timeframe for written notice of a meeting other than
1173 an annual meeting, notice must be provided at least 14
1174 continuous days before the meeting. Upon notice to the unit
1175 owners, the board shall, by duly adopted rule, designate a

1176 specific location on the condominium property or association
1177 property at which all notices of unit owner meetings must be
1178 posted. This requirement does not apply if there is no
1179 condominium property for posting notices. In lieu of, or in
1180 addition to, the physical posting of meeting notices, the
1181 association may, by reasonable rule, adopt a procedure for
1182 conspicuously posting and repeatedly broadcasting the notice and
1183 the agenda on a closed-circuit cable television system serving
1184 the condominium association. However, if broadcast notice is
1185 used in lieu of a notice posted physically on the condominium
1186 property, the notice and agenda must be broadcast at least four
1187 times every broadcast hour of each day that a posted notice is
1188 otherwise required under this section. If broadcast notice is
1189 provided, the notice and agenda must be broadcast in a manner
1190 and for a sufficient continuous length of time so as to allow an
1191 average reader to observe the notice and read and comprehend the
1192 entire content of the notice and the agenda. In addition to any
1193 of the authorized means of providing notice of a meeting of the
1194 board, the association may, by rule, adopt a procedure for
1195 conspicuously posting the meeting notice and the agenda on a
1196 website serving the condominium association for at least the
1197 minimum period of time for which a notice of a meeting is also
1198 required to be physically posted on the condominium property.
1199 Any rule adopted shall, in addition to other matters, include a
1200 requirement that the association send an electronic notice in

1201 the same manner as a notice for a meeting of the members, which
1202 must include a hyperlink to the website at which the notice is
1203 posted, to unit owners whose e-mail addresses are included in
1204 the association's official records. Unless a unit owner waives
1205 in writing the right to receive notice of the annual meeting,
1206 such notice must be hand delivered, mailed, or electronically
1207 transmitted to each unit owner. Notice for meetings and notice
1208 for all other purposes must be mailed to each unit owner at the
1209 address last furnished to the association by the unit owner, or
1210 hand delivered to each unit owner. However, if a unit is owned
1211 by more than one person, the association must provide notice to
1212 the address that the developer identifies for that purpose and
1213 thereafter as one or more of the owners of the unit advise the
1214 association in writing, or if no address is given or the owners
1215 of the unit do not agree, to the address provided on the deed of
1216 record. An officer of the association, or the manager or other
1217 person providing notice of the association meeting, must provide
1218 an affidavit or United States Postal Service certificate of
1219 mailing, to be included in the official records of the
1220 association affirming that the notice was mailed or hand
1221 delivered in accordance with this provision.

1222 4. The members of the board of a residential condominium
1223 shall be elected by written ballot or voting machine. Proxies
1224 may not be used in electing the board in general elections or
1225 elections to fill vacancies caused by recall, resignation, or

1226 otherwise, unless otherwise provided in this chapter. This
1227 subparagraph does not apply to an association governing a
1228 timeshare condominium.

1229 a. At least 60 days before a scheduled election, the
1230 association shall mail, deliver, or electronically transmit, by
1231 separate association mailing or included in another association
1232 mailing, delivery, or transmission, including regularly
1233 published newsletters, to each unit owner entitled to a vote, a
1234 first notice of the date of the election. A unit owner or other
1235 eligible person desiring to be a candidate for the board must
1236 give written notice of his or her intent to be a candidate to
1237 the association at least 40 days before a scheduled election.
1238 Together with the written notice and agenda as set forth in
1239 subparagraph 3., the association shall mail, deliver, or
1240 electronically transmit a second notice of the election to all
1241 unit owners entitled to vote, together with a ballot that lists
1242 all candidates not less than 14 days or more than 34 days before
1243 the date of the election. Upon request of a candidate, an
1244 information sheet, no larger than 8 1/2 inches by 11 inches,
1245 which must be furnished by the candidate at least 35 days before
1246 the election, must be included with the mailing, delivery, or
1247 transmission of the ballot, with the costs of mailing, delivery,
1248 or electronic transmission and copying to be borne by the
1249 association. The association is not liable for the contents of
1250 the information sheets prepared by the candidates. In order to

1251 reduce costs, the association may print or duplicate the
1252 information sheets on both sides of the paper. The division
1253 shall by rule establish voting procedures consistent with this
1254 sub-subparagraph, including rules establishing procedures for
1255 giving notice by electronic transmission and rules providing for
1256 the secrecy of ballots. Elections shall be decided by a
1257 plurality of ballots cast. There is no quorum requirement;
1258 however, at least 20 percent of the eligible voters must cast a
1259 ballot in order to have a valid election. A unit owner may not
1260 authorize any other person to vote his or her ballot, and any
1261 ballots improperly cast are invalid. A unit owner who violates
1262 this provision may be fined by the association in accordance
1263 with s. 718.303. A unit owner who needs assistance in casting
1264 the ballot for the reasons stated in s. 101.051 may obtain such
1265 assistance. The regular election must occur on the date of the
1266 annual meeting. Notwithstanding this sub-subparagraph, an
1267 election is not required unless more candidates file notices of
1268 intent to run or are nominated than board vacancies exist.

1269 b. A director of a board of an association of a
1270 residential condominium shall:

1271 (I) Certify in writing to the secretary of the association
1272 that he or she has read the association's declaration of
1273 condominium, articles of incorporation, bylaws, and current
1274 written policies; that he or she will work to uphold such
1275 documents and policies to the best of his or her ability; and

1276 that he or she will faithfully discharge his or her fiduciary
1277 responsibility to the association's members.

1278 (II) Submit to the secretary of the association a
1279 certificate of having satisfactorily completed the educational
1280 curriculum administered by the division or a division-approved
1281 condominium education provider. The educational curriculum must
1282 be at least 4 hours long and include instruction on milestone
1283 inspections, structural integrity reserve studies, elections,
1284 recordkeeping, financial literacy and transparency, levying of
1285 fines, and notice and meeting requirements.

1286
1287 Each newly elected or appointed director must submit to the
1288 secretary of the association the written certification and
1289 educational certificate within 1 year before being elected or
1290 appointed or 90 days after the date of election or appointment.
1291 A director of an association of a residential condominium who
1292 was elected or appointed before July 1, 2024, must comply with
1293 the written certification and educational certificate
1294 requirements in this sub-subparagraph by June 30, 2025. The
1295 written certification and educational certificate is valid for 7
1296 years after the date of issuance and does not have to be
1297 resubmitted as long as the director serves on the board without
1298 interruption during the 7-year period. A director who is
1299 appointed by the developer may satisfy the educational
1300 certificate requirement in sub-sub-subparagraph (II) for any

1301 subsequent appointment to a board by a developer within 7 years
1302 after the date of issuance of the most recent educational
1303 certificate, including any interruption of service on a board or
1304 appointment to a board in another association within that 7-year
1305 period. One year after submission of the most recent written
1306 certification and educational certificate, and annually
1307 thereafter, a director of an association of a residential
1308 condominium must submit to the secretary of the association a
1309 certificate of having satisfactorily completed at least 1 hour
1310 of continuing education administered by the division, or a
1311 division-approved condominium education provider, relating to
1312 any recent changes to this chapter and the related
1313 administrative rules during the past year. A director of an
1314 association of a residential condominium who fails to timely
1315 file the written certification and educational certificate is
1316 suspended from service on the board until he or she complies
1317 with this sub-subparagraph. The board may temporarily fill the
1318 vacancy during the period of suspension. The secretary shall
1319 cause the association to retain a director's written
1320 certification and educational certificate for inspection by the
1321 members for 7 years after a director's election or the duration
1322 of the director's uninterrupted tenure, whichever is longer.
1323 Failure to have such written certification and educational
1324 certificate on file does not affect the validity of any board
1325 action.

1326 c. Any challenge to the election process must be commenced
1327 within 60 days after the election results are announced.

1328 5. Any approval by unit owners called for by this chapter
1329 or the applicable declaration or bylaws, including, but not
1330 limited to, the approval requirement in s. 718.111(8), must be
1331 made at a duly noticed meeting of unit owners and is subject to
1332 all requirements of this chapter or the applicable condominium
1333 documents relating to unit owner decisionmaking, except that
1334 unit owners may take action by written agreement, without
1335 meetings, on matters for which action by written agreement
1336 without meetings is expressly allowed by the applicable bylaws
1337 or declaration or any law that provides for such action.

1338 6. Unit owners may waive notice of specific meetings if
1339 allowed by the applicable bylaws or declaration or any law.
1340 Notice of meetings of the board of administration; unit owner
1341 meetings, except unit owner meetings called to recall board
1342 members under paragraph (1); and committee meetings may be given
1343 by electronic transmission to unit owners who consent to receive
1344 notice by electronic transmission. A unit owner who consents to
1345 receiving notices by electronic transmission is solely
1346 responsible for removing or bypassing filters that block receipt
1347 of mass e-mails sent to members on behalf of the association in
1348 the course of giving electronic notices.

1349 7. Unit owners have the right to participate in meetings
1350 of unit owners with reference to all designated agenda items.

1351 However, the association may adopt reasonable rules governing
1352 the frequency, duration, and manner of unit owner participation.

1353 8. A unit owner may tape record or videotape a meeting of
1354 the unit owners subject to reasonable rules adopted by the
1355 division.

1356 9. Unless otherwise provided in the bylaws, any vacancy
1357 occurring on the board before the expiration of a term may be
1358 filled by the affirmative vote of the majority of the remaining
1359 directors, even if the remaining directors constitute less than
1360 a quorum, or by the sole remaining director. In the alternative,
1361 a board may hold an election to fill the vacancy, in which case
1362 the election procedures must conform to sub-subparagraph 4.a.
1363 unless the association governs 10 units or fewer and has opted
1364 out of the statutory election process, in which case the bylaws
1365 of the association control. Unless otherwise provided in the
1366 bylaws, a board member appointed or elected under this section
1367 shall fill the vacancy for the unexpired term of the seat being
1368 filled. Filling vacancies created by recall is governed by
1369 paragraph (1) and rules adopted by the division.

1370 10. This chapter does not limit the use of general or
1371 limited proxies, require the use of general or limited proxies,
1372 or require the use of a written ballot or voting machine for any
1373 agenda item or election at any meeting of a timeshare
1374 condominium association or nonresidential condominium
1375 association.

1376
1377 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
1378 association of 10 or fewer units may, by affirmative vote of a
1379 majority of the total voting interests, provide for different
1380 voting and election procedures in its bylaws, which may be by a
1381 proxy specifically delineating the different voting and election
1382 procedures. The different voting and election procedures may
1383 provide for elections to be conducted by limited or general
1384 proxy. Notwithstanding sub-subparagraph 4.a., an association
1385 operating a nonresidential condominium may provide for different
1386 voting and election procedures in its bylaws, or by an amendment
1387 to its bylaws, which may include alternative notice requirements
1388 and voting by limited or general proxy.

1389 (f) Annual budget.—

1390 1. The proposed annual budget of estimated revenues and
1391 expenses must be detailed and must show the amounts budgeted by
1392 accounts and expense classifications, including, at a minimum,
1393 any applicable expenses listed in s. 718.504(21). The board
1394 shall adopt the annual budget at least 14 days before the start
1395 of the association's fiscal year. In the event that the board
1396 fails to timely adopt the annual budget a second time, it is
1397 deemed a minor violation and the prior year's budget shall
1398 continue in effect until a new budget is adopted. A
1399 multicondominium association must adopt a separate budget of
1400 common expenses for each condominium the association operates

1401 and must adopt a separate budget of common expenses for the
1402 association. In addition, if the association maintains limited
1403 common elements with the cost to be shared only by those
1404 entitled to use the limited common elements as provided for in
1405 s. 718.113(1), the budget or a schedule attached to it must show
1406 the amount budgeted for this maintenance. If, after turnover of
1407 control of the association to the unit owners, any of the
1408 expenses listed in s. 718.504(21) are not applicable, they do
1409 not need to be listed.

1410 2.a. In addition to annual operating expenses, the budget
1411 must include reserve accounts for capital expenditures and
1412 deferred maintenance. These accounts must include, but are not
1413 limited to, roof replacement, building painting, and pavement
1414 resurfacing, regardless of the amount of deferred maintenance
1415 expense or replacement cost, and any other item that has a
1416 deferred maintenance expense or replacement cost that exceeds
1417 \$25,000 ~~\$10,000~~. The amount to be reserved must be computed
1418 using a formula based upon estimated remaining useful life and
1419 estimated replacement cost or deferred maintenance expense of
1420 the reserve item. In a budget adopted by an association that is
1421 required to obtain a structural integrity reserve study,
1422 reserves must be maintained for the items identified in
1423 paragraph (g) for which the association is responsible pursuant
1424 to the declaration of condominium, and the reserve amount for
1425 such items must be based on the findings and recommendations of

1426 the association's most recent structural integrity reserve
1427 study. If the total voting interests of the association vote to
1428 terminate the condominium in accordance with s. 718.117, the
1429 members may vote to waive the maintenance of reserves
1430 recommended by the association's most recent structural
1431 integrity reserve study. With respect to items for which an
1432 estimate of useful life is not readily ascertainable or with an
1433 estimated remaining useful life of greater than 25 years, an
1434 association is not required to reserve replacement costs for
1435 such items, but an association must reserve the amount of
1436 deferred maintenance expense, if any, which is recommended by
1437 the structural integrity reserve study for such items. The
1438 association may adjust replacement reserve assessments annually
1439 to take into account an inflation adjustment and any changes in
1440 estimates or extension of the useful life of a reserve item
1441 caused by deferred maintenance. The members of a unit-owner-
1442 controlled association may determine, by a majority vote of the
1443 total voting interests of the association, to provide no
1444 reserves or less reserves than required by this subsection. For
1445 a budget adopted on or after December 31, 2024, the members of a
1446 unit-owner-controlled association that must obtain a structural
1447 integrity reserve study may not determine to provide no reserves
1448 or less reserves than required by this subsection for items
1449 listed in paragraph (g), except that members of an association
1450 operating a multicondominium may determine to provide no

1451 reserves or less reserves than required by this subsection if an
1452 alternative funding method has been approved by the division. If
1453 the local building official, as defined in s. 468.603,
1454 determines that the entire condominium building is uninhabitable
1455 due to a natural emergency, as defined in s. 252.34, the board,
1456 ~~upon the approval of a majority of its members,~~ may pause the
1457 contribution to its reserves or reduce reserve funding until the
1458 local building official determines that the condominium building
1459 is habitable. Any reserve account funds held by the association
1460 may be expended, pursuant to the board's determination, to make
1461 the condominium building and its structures habitable. Upon the
1462 determination by the local building official that the
1463 condominium building is habitable, the association must
1464 immediately resume contributing funds to its reserves.

1465 b. Before turnover of control of an association by a
1466 developer to unit owners other than a developer under s.
1467 718.301, the developer-controlled association may not vote to
1468 waive the reserves or reduce funding of the reserves. If a
1469 meeting of the unit owners has been called to determine whether
1470 to waive or reduce the funding of reserves and no such result is
1471 achieved or a quorum is not attained, the reserves included in
1472 the budget shall go into effect. After the turnover, the
1473 developer may vote its voting interest to waive or reduce the
1474 funding of reserves.

1475 c. The members of a unit-owner-controlled association may

1476 approve, by a majority vote of the total voting interests of the
1477 association, the provision of a secured line of credit to meet
1478 the reserve funding schedule recommended by a structural
1479 integrity reserve study. Before voting to secure a line of
1480 credit as authorized in this sub-subparagraph, the association
1481 must provide notice to each member of the association indicating
1482 that the association will charge the members an assessment in
1483 the future if the members decline to annually fund all reserves
1484 and instead secure a line of credit. Such notice must provide
1485 the projected amount of such assessment in each future year. The
1486 department shall adopt rules to implement this sub-subparagraph.

1487 3. Reserve funds and any interest accruing thereon shall
1488 remain in the reserve account or accounts, and may be used only
1489 for authorized reserve expenditures unless their use for other
1490 purposes is approved in advance by a majority vote of all the
1491 total voting interests of the association. Before turnover of
1492 control of an association by a developer to unit owners other
1493 than the developer pursuant to s. 718.301, the developer-
1494 controlled association may not vote to use reserves for purposes
1495 other than those for which they were intended. For a budget
1496 adopted on or after December 31, 2024, members of a unit-owner-
1497 controlled association that must obtain a structural integrity
1498 reserve study may not vote to use reserve funds, or any interest
1499 accruing thereon, for any other purpose other than the
1500 replacement or deferred maintenance costs of the components

1501 listed in paragraph (g). A vote of the members is not required
1502 to create the reserve account or accounts in accordance with the
1503 most recent structural integrity reserve study.

1504 4. The only voting interests that are eligible to vote on
1505 questions that involve waiving or reducing the funding of
1506 reserves, or using existing reserve funds for purposes other
1507 than purposes for which the reserves were intended, are the
1508 voting interests of the units subject to assessment to fund the
1509 reserves in question. Proxy questions relating to waiving or
1510 reducing the funding of reserves or using existing reserve funds
1511 for purposes other than purposes for which the reserves were
1512 intended must contain the following statement in capitalized,
1513 bold letters in a font size larger than any other used on the
1514 face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN
1515 PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY
1516 RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED
1517 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

1518 5. An association's reserve accounts may be pooled for two
1519 or more required components. Reserve funding for components
1520 listed in paragraph (g) may only be pooled with other components
1521 listed in paragraph (g). The reserve funding indicated in the
1522 proposed annual budget must be sufficient to ensure that
1523 available funds meet or exceed projected expenses for all
1524 components in the reserve pool based on the most recent
1525 structural integrity reserve study.

1526 (g) Structural integrity reserve study.—

1527 1. A residential condominium association must have a
1528 structural integrity reserve study completed at least every 10
1529 years after the condominium's creation for each building on the
1530 condominium property that is three habitable stories or higher
1531 in height, as determined by the Florida Building Code, which
1532 includes, at a minimum, a study of the following items as
1533 related to the structural integrity and safety of the building:

1534 a. Roof.

1535 b. Structure, including load-bearing walls and other
1536 primary structural members and primary structural systems as
1537 those terms are defined in s. 627.706.

1538 c. Fireproofing and fire protection systems.

1539 d. Plumbing.

1540 e. Electrical systems.

1541 f. Waterproofing and exterior painting.

1542 g. Windows and exterior doors.

1543 h. Any other item that has a deferred maintenance expense
1544 or replacement cost that exceeds \$25,000 ~~\$10,000~~ and the failure
1545 to replace or maintain such item negatively affects the items
1546 listed in sub-subparagraphs a.-g., as determined by the visual
1547 inspection portion of the structural integrity reserve study.
1548 The base amount of the expense or replacement cost referenced in
1549 this sub-subparagraph must be modified annually based on the
1550 Consumer Price Index for All Urban Consumers released in

1551 January. By February 1 of each year, the department must
1552 conspicuously post on its website the revised expense or
1553 replacement cost for all items that must be included in the
1554 structural integrity reserve study pursuant to this sub-
1555 subparagraph.

1556 2. A structural integrity reserve study is based on a
1557 visual inspection of the condominium property. A structural
1558 integrity reserve study may be performed by any person qualified
1559 to perform such study. However, the visual inspection portion of
1560 the structural integrity reserve study must be performed or
1561 verified by an engineer licensed under chapter 471, an architect
1562 licensed under chapter 481, or a person certified as a reserve
1563 specialist or professional reserve analyst by the Community
1564 Associations Institute or the Association of Professional
1565 Reserve Analysts. It is a conflict of interest for any person
1566 who performs a structural integrity reserve study or a milestone
1567 inspection under s. 553.899 to provide or contract to provide
1568 services for the repair or replacement of the condominium
1569 property that was the subject of such structural integrity
1570 reserve study or milestone inspection, or to have a financial
1571 interest with the person or entity providing the repair or
1572 replacement services.

1573 3. At a minimum, a structural integrity reserve study must
1574 identify each item of the condominium property being visually
1575 inspected, state the estimated remaining useful life and the

1576 estimated replacement cost or deferred maintenance expense of
1577 each item of the condominium property being visually inspected,
1578 and provide a reserve funding schedule with a recommended annual
1579 reserve amount that achieves the estimated replacement cost or
1580 deferred maintenance expense of each item of condominium
1581 property being visually inspected by the end of the estimated
1582 remaining useful life of the item. The structural integrity
1583 reserve study may recommend that reserves do not need to be
1584 maintained for any item for which an estimate of useful life and
1585 an estimate of replacement cost cannot be determined, or the
1586 study may recommend a deferred maintenance expense amount for
1587 such item. The structural integrity reserve study may recommend
1588 that reserves for replacement costs do not need to be maintained
1589 for any item with an estimated remaining useful life of greater
1590 than 25 years, but the study may recommend a deferred
1591 maintenance expense amount for such item.

1592 4. This paragraph does not apply to buildings less than
1593 three stories in height; single-family, two-family, ~~or~~ three-
1594 family, or four-family dwellings with three or fewer habitable
1595 stories above ground; any portion or component of a building
1596 that has not been submitted to the condominium form of
1597 ownership; or any portion or component of a building that is
1598 maintained by a party other than the association.

1599 5. Before a developer turns over control of an association
1600 to unit owners other than the developer, the developer must have

1601 a turnover inspection report in compliance with s. 718.301(4) (p)
1602 and (q) for each building on the condominium property that is
1603 three stories or higher in height.

1604 6. Associations existing on or before July 1, 2022, which
1605 are controlled by unit owners other than the developer, must
1606 have a structural integrity reserve study completed by December
1607 31, 2024, for each building on the condominium property that is
1608 three stories or higher in height. An association that is
1609 required to complete a milestone inspection in accordance with
1610 s. 553.899 on or before December 31, 2026, may complete the
1611 structural integrity reserve study simultaneously with the
1612 milestone inspection. In no event may the structural integrity
1613 reserve study be completed after December 31, 2026.

1614 7. If the milestone inspection required by s. 553.899, or
1615 an inspection completed for a similar local requirement, was
1616 performed within the past 5 years and meets the requirements of
1617 this paragraph, such inspection may be used in place of the
1618 visual inspection portion of the structural integrity reserve
1619 study.

1620 8. If the officers or directors of an association
1621 willfully and knowingly fail to complete a structural integrity
1622 reserve study pursuant to this paragraph, such failure is a
1623 breach of an officer's and director's fiduciary relationship to
1624 the unit owners under s. 718.111(1). An officer or director of
1625 an association must sign an affidavit acknowledging receipt of

1626 the completed structural integrity reserve study.

1627 9. Within 45 days after receiving the structural integrity
1628 reserve study, the association must distribute a copy of the
1629 study to each unit owner or deliver to each unit owner a notice
1630 that the completed study is available for inspection and copying
1631 upon a written request. Distribution of a copy of the study or
1632 notice must be made by United States mail or personal delivery
1633 to the mailing address, property address, or any other address
1634 of the owner provided to fulfill the association's notice
1635 requirements under this chapter, or by electronic transmission
1636 to the e-mail address or facsimile number provided to fulfill
1637 the association's notice requirements to unit owners who
1638 previously consented to receive notice by electronic
1639 transmission.

1640 10. Within 45 days after receiving the structural
1641 integrity reserve study, the association must provide the
1642 division with a statement indicating that the study was
1643 completed and that the association provided or made available
1644 such study to each unit owner in accordance with this section.
1645 The statement must be provided to the division in the manner
1646 established by the division using a form posted on the
1647 division's website.

1648 11. By October 1, 2025, the Department of Business and
1649 Professional Regulation shall initiate rulemaking to:

1650 a. Adopt by rule, in coordination with the Florida

1651 Building Commission, the form to be used for the structural
1652 integrity reserve study.

1653 b. Adopt by rule criteria for determining the estimated
1654 useful life of the building components identified in
1655 subparagraph 1.

1656 (1) Recall of board members.—Subject to s. 718.301, any
1657 member of the board of administration may be recalled and
1658 removed from office with or without cause by ~~the vote or~~
1659 ~~agreement in writing~~ by a majority of all the voting interests.
1660 A voting interest of the condominium may not be suspended when
1661 voting to recall a member of the board of administration and any
1662 prior suspension of voting rights pursuant to s. 718.303(5)
1663 shall have no effect on a recall vote ~~A special meeting of the~~
1664 ~~unit owners to recall a member or members of the board of~~
1665 ~~administration may be called by 10 percent of the voting~~
1666 ~~interests giving notice of the meeting as required for a meeting~~
1667 ~~of unit owners, and the notice shall state the purpose of the~~
1668 ~~meeting. Electronic transmission may not be used as a method of~~
1669 ~~giving notice of a meeting called in whole or in part for this~~
1670 ~~purpose.~~

1671 ~~1. If the recall is approved by a majority of all voting~~
1672 ~~interests by a vote at a meeting, the recall will be effective~~
1673 ~~as provided in this paragraph. The board shall duly notice and~~
1674 ~~hold a board meeting within 5 full business days after the~~
1675 ~~adjournment of the unit owner meeting to recall one or more~~

board members. Such member or members shall be recalled effective immediately upon conclusion of the board meeting, provided that the recall is facially valid. A recalled member must turn over to the board, within 10 full business days after the vote, any and all records and property of the association in their possession.

1.2. If The proposed recall is by an agreement in writing by a majority of all voting interests, the agreement in writing or a copy thereof must ~~shall~~ be served on the association by registered ~~certified~~ mail or ~~by personal service~~ in the manner authorized by chapter 48 and the Florida Rules of Civil Procedure. Methods of service that are not authorized by chapter 48 and the Florida Rules of Civil Procedure are invalid and any service that does not comply with this paragraph is void. The board of administration shall duly notice and hold a meeting of the board within 5 full business days after receipt of the agreement by valid service as authorized under this paragraph ~~in writing~~. Such member or members must ~~shall~~ be recalled effective immediately upon the conclusion of the board meeting, provided that the recall is facially valid and the agreement was validly served. A recalled member must turn over to the board, within 10 full business days, ~~any and~~ all records and property of the association in his or her ~~their~~ possession.

2. Rejection of a unit owner's recall agreement under this section applies when the recall agreement:

1701 a. Was improperly served;
1702 b. Was executed by a person who was not a unit's record
1703 owner or designated voter;
1704 c. Was previously marked for the removal of any board
1705 member;
1706 d. Does not contain any markings that indicate the
1707 selection by a unit owner to either remove or retain a board
1708 member; or
1709 e. Does not contain the signature of the unit owner.
1710 3. There is a rebuttable presumption that a unit owner
1711 executing the recall agreement is the designated voter for the
1712 unit. An association may not enforce a voting certificate
1713 requirement if the association has not enforced such requirement
1714 in all matters requiring the use of voting certificates in the
1715 year immediately preceding service of the recall agreement.
1716 4. A rescission or revocation of a unit owner's recall
1717 agreement must be in writing and delivered to the association
1718 before the association is served with the written recall
1719 agreement. This subparagraph must be liberally construed to
1720 ensure a unit owner is not disenfranchised by an association in
1721 a recall and to prevent an association from failing to certify a
1722 recall agreement on a technical omission which is not a part in
1723 the discharge of the unit owner's voting rights.
1724 ~~5.3.~~ If the board fails to duly notice and hold a board
1725 meeting within 5 full business days after service of an

1726 agreement in writing or within 5 full business days after the
1727 adjournment of the unit owner recall meeting, the recall is
1728 deemed effective and the board members so recalled shall turn
1729 over to the board within 10 full business days after the vote
1730 ~~any and~~ all records and property of the association.

1731 ~~6.4.~~ If the board fails to duly notice and hold the
1732 required meeting or at the conclusion of the meeting determines
1733 that the recall is not facially valid, the unit owner
1734 representative may file a petition or circuit court action under
1735 s. 718.1255 challenging the board's failure to act or
1736 challenging the board's determination on facial validity. The
1737 petition or action must be filed within 45 ~~60~~ days after the
1738 expiration of the applicable 5-full-business-day period. The
1739 review of a petition or action under this subparagraph is
1740 limited to the sufficiency of service on the board and the
1741 facial validity of the written agreement or ballots filed. The
1742 association must be named as the respondent.

1743 ~~7.5.~~ If a vacancy occurs on the board as a result of a
1744 recall or removal and less than a majority of the board members
1745 are removed, the vacancy may be filled by the affirmative vote
1746 of a majority of the remaining directors, notwithstanding any
1747 provision to the contrary contained in this subsection. If
1748 vacancies occur on the board as a result of a recall and a
1749 majority or more of the board members are removed, the vacancies
1750 must ~~shall~~ be filled in accordance with procedural rules to be

1751 adopted by the division, which rules need not be consistent with
1752 this subsection. The rules must provide procedures governing the
1753 conduct of the recall election as well as the operation of the
1754 association during the period after a recall but before the
1755 recall election.

1756 ~~8.6.~~ A board member who has been recalled may file a
1757 petition or court action under s. 718.1255 challenging the
1758 validity of the recall. The petition or action must be filed
1759 within 45 ~~60~~ days after the recall. The association and the unit
1760 owner representative must ~~shall~~ be named as the respondents. The
1761 petition or action may challenge the facial validity of the
1762 written agreement or ballots filed or the substantial compliance
1763 with the procedural requirements for the recall. If the
1764 arbitrator or court determines the recall was invalid, the
1765 petitioning board member must ~~shall~~ immediately be reinstated
1766 and the recall is null and void. A board member who is
1767 successful in challenging a recall is entitled to recover
1768 reasonable attorney fees and costs from the respondents. The
1769 arbitrator or court may award reasonable attorney fees and costs
1770 to the respondents if they prevail, if the arbitrator or court
1771 makes a finding that the petitioner's claim is frivolous.

1772 ~~9.7.~~ The division or a court of competent jurisdiction may
1773 not accept for filing a recall petition or court action, whether
1774 filed under subparagraph 1., ~~subparagraph 2., subparagraph 4.,~~
1775 ~~or~~ subparagraph 6., or subparagraph 8., when there are 45 ~~60~~ or

fewer days until the scheduled reelection of the board member sought to be recalled or when 45 ~~60~~ or fewer days have elapsed since the election of the board member sought to be recalled.

(m) Alternative dispute resolution.—There must be a provision for alternative dispute resolution as provided for in s. 718.1255 for any residential condominium.

(p) Director or officer delinquencies.—A director or officer more than 90 days delinquent in the payment of any monetary obligation due the association is ~~shall be~~ deemed to have abandoned the office, creating a vacancy in the office to be filled according to law. For the purpose of this paragraph, a director or an officer is delinquent if a payment is not made by the due date as specifically identified in the declarations, bylaws, or articles of incorporation. If a due date is not specifically identified in the declaration, bylaws, or articles of incorporation, the due date is the first day of the assessment period.

Section 8. Paragraphs (d) and (e) of subsection (5) of section 718.113, Florida Statutes, are amended to read:

718.113 Maintenance; limitation upon improvement; display of flag; hurricane protection; display of religious decorations.—

(5) To protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protections installed by condominium associations

1801 and unit owners, this subsection applies to all residential and
1802 mixed-use condominiums in the state, regardless of when the
1803 condominium is created pursuant to the declaration of
1804 condominium. Each board of administration of a residential
1805 condominium or mixed-use condominium must adopt hurricane
1806 protection specifications for each building within each
1807 condominium operated by the association which may include color,
1808 style, and other factors deemed relevant by the board. All
1809 specifications adopted by the board must comply with the
1810 applicable building code. The installation, maintenance, repair,
1811 replacement, and operation of hurricane protection in accordance
1812 with this subsection is not considered a material alteration or
1813 substantial addition to the common elements or association
1814 property within the meaning of this section.

1815 (d) Unless otherwise provided in the declaration as
1816 originally recorded, or as amended, a unit owner is not
1817 responsible for the cost of any removal or reinstallation of
1818 hurricane protection, including exterior windows, doors, or
1819 other apertures, if its removal is necessary for the
1820 maintenance, repair, or replacement of other condominium
1821 property or association property for which the association is
1822 responsible. The board shall determine if the removal or
1823 reinstallation of hurricane protection must be completed by the
1824 unit owner or the association if the declaration as originally
1825 recorded, or as amended, does not specify who is responsible for

1826 such costs. If such removal or reinstallation is completed by
1827 the association, the costs incurred by the association may not
1828 be charged to the unit owner. If such removal or reinstallation
1829 is completed by the unit owner, the association must reimburse
1830 the unit owner for the cost of the removal or reinstallation or
1831 the association must apply a credit toward future assessments in
1832 the amount of the unit owner's cost to remove or reinstall the
1833 hurricane protection.

1834 ~~(e) If the removal or reinstallation of hurricane~~
1835 ~~protection, including exterior windows, doors, or other~~
1836 ~~apertures, is the responsibility of the unit owner and the~~
1837 ~~association completes such removal or reinstallation and then~~
1838 ~~charges the unit owner for such removal or reinstallation, such~~
1839 ~~charges are enforceable as an assessment and may be collected in~~
1840 ~~the manner provided under s. 718.116.~~

1841 **Section 9. Subsection (10) of section 718.116, Florida**
1842 **Statutes, is amended to read:**

1843 718.116 Assessments; liability; lien and priority;
1844 interest; collection.—

1845 (10) (a) The specific purpose or purposes of any special
1846 assessment, including any contingent special assessment levied
1847 in conjunction with the purchase of an insurance policy
1848 authorized by s. 718.111(11), approved in accordance with the
1849 condominium documents shall be set forth in a written notice of
1850 such assessment sent or delivered to each unit owner. The funds

collected pursuant to a special assessment shall be used only for the specific purpose or purposes set forth in such notice. However, upon completion of such specific purpose or purposes, any excess funds will be considered common surplus, and may, at the discretion of the board, either be returned to the unit owners or applied as a credit toward future assessments.

(b) The Legislature finds that:

1. In some circumstances, the declaration, articles of incorporation, or bylaws of an association restrict the authority of the board of administration to levy special assessments without first obtaining the approval of the membership, which may preclude an association from obtaining immediate funding to carry out its obligations to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report in order to protect the health and safety of the unit owners and tenants of the property.

2. It is contrary to the public policy of this state to limit the ability of an association to obtain the funds needed to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report in order to protect the unit owners and tenants of the property.

3. Authorizing the board of administration of an

association to meet its fiduciary duty and levy special assessments to fund necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report in order to protect the health and safety of the unit owners and tenants of the property is in the public interest; that requiring an association to obtain membership approval endangers the public safety; and that there is a compelling state interest in enabling the board of administration of an association to levy special assessments to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report without the approval of the membership in order to protect the health and safety of the unit owners and tenants of the property.

(c) Notwithstanding any provision to the contrary contained in an association's declaration, articles of incorporation, or bylaws, the board of administration of an association may levy special assessments to perform necessary maintenance, repair, or replacement of the condominium property as required by the milestone inspection report and structural integrity reserve study report without the approval of the membership in order to protect the health and safety of the unit owners and tenants of the property.

(d) Paragraph (c) applies to all condominiums in existence

on or after July 1, 2025, which are not subject to control of the developer as defined in s. 718.103 or a bulk assignee or bulk buyer, as those terms are defined in s. 718.703.

Section 10. Paragraph (a) of subsection (2) and subsections (3), (4), and (16) of section 718.117, Florida Statutes, are amended to read:

718.117 Termination of condominium.—

(2) TERMINATION BECAUSE OF ECONOMIC WASTE OR IMPOSSIBILITY.—

(a) Notwithstanding any provision in the declaration, the condominium form of ownership of a property may be terminated by a plan of termination approved by the lesser of the lowest percentage of voting interests necessary to amend the declaration or as otherwise provided in the declaration for approval of termination if:

1. The total estimated cost of construction, replacement, or repairs necessary to construct or replace the intended improvements or restore the improvements to bring them into compliance with the most recent version of the Florida Building Code or to ~~their former condition or~~ bring them into compliance with applicable laws or regulations, plus the combined estimated fair market value of the units in the condominium before commencement of the construction, replacement, or repairs, exceeds the combined estimated fair market value of the units in the condominium after completion of the construction,

1926 replacement, or repairs. However, if at least 50 percent of the
1927 total voting interests are owned by a bulk owner, as defined in
1928 paragraph (3)(c), termination of the condominium under this
1929 subsection requires the approval of at least 80 percent of all
1930 the voting interests in the condominium; or

1931 2. It becomes impossible to operate or reconstruct a
1932 condominium to its prior physical configuration because of land
1933 use laws or regulations.

1934 (3) OPTIONAL TERMINATION.—Subject to this subsection, the
1935 condominium form of ownership may be terminated for all or a
1936 portion of the condominium property pursuant to a plan of
1937 termination meeting the requirements of this section and
1938 approved by the division. Before a residential association
1939 submits a plan to the division, the plan must be approved by at
1940 least 80 percent of the total voting interests in of the
1941 condominium. However, if 5 percent or more of the total voting
1942 interests of the condominium have rejected the plan of
1943 termination by negative vote or by providing written objections,
1944 the plan of termination may not proceed.

1945 (a) The termination of the condominium form of ownership
1946 is subject to the following conditions:

1947 1. The total voting interests of the condominium must
1948 include all voting interests for the purpose of considering a
1949 plan of termination. A voting interest of the condominium may
1950 not be suspended for any reason when voting on termination

1951 pursuant to this subsection.

1952 2. If 5 percent or more of the total voting interests of
1953 the condominium have rejected ~~reject~~ a plan of termination by a
1954 negative vote or by providing written objections, the plan of
1955 termination may not proceed and a subsequent plan of termination
1956 under ~~pursuant to~~ this subsection may not be considered for 24
1957 months after the date of the rejection.

1958 (b) This subsection does not apply to any condominium
1959 created pursuant to Part VI of this chapter until 5 years after
1960 the recording of the declaration of condominium, unless there is
1961 no objection to the plan of termination.

1962 (c) The requirements of this paragraph apply to
1963 residential condominiums. For purposes of this paragraph
1964 ~~subsection~~, the term "bulk owner" means the single holder of
1965 such voting interests or an owner together with a related entity
1966 or entities that would be considered an insider, as defined in
1967 s. 726.102, holding such voting interests. If ~~the condominium~~
1968 ~~association is a residential association proposed for~~
1969 ~~termination pursuant to this section and~~, at the time of
1970 recording the plan of termination, at least 80 percent of the
1971 total voting interests of the condominium are owned by a bulk
1972 owner, the plan of termination is subject to the following
1973 conditions and limitations:

1974 1. If the former condominium units are offered for lease
1975 to the public after the termination, each unit owner in

1976 occupancy immediately before the date of recording of the plan
1977 of termination may lease his or her former unit and remain in
1978 possession of the unit for 12 months after the effective date of
1979 the termination on the same terms as similar unit types within
1980 the property are being offered to the public. In order to obtain
1981 a lease and exercise the right to retain exclusive possession of
1982 the unit owner's former unit, the unit owner must make a written
1983 request to the termination trustee to rent the former unit
1984 within 90 days after the date the plan of termination is
1985 recorded. Any unit owner who fails to timely make such written
1986 request and sign a lease within 15 days after being presented
1987 with a lease is deemed to have waived his or her right to retain
1988 possession of his or her former unit and shall be required to
1989 vacate the former unit upon the effective date of the
1990 termination, unless otherwise provided in the plan of
1991 termination.

1992 2. Any former unit owner whose unit was granted homestead
1993 exemption status by the applicable county property appraiser as
1994 of the date of the recording of the plan of termination shall be
1995 paid a relocation payment in an amount equal to 1 percent of the
1996 termination proceeds allocated to the owner's former unit. Any
1997 relocation payment payable under this subparagraph shall be paid
1998 by the single entity or related entities owning at least 80
1999 percent of the total voting interests. Such relocation payment
2000 shall be in addition to the termination proceeds for such

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owner's former unit and shall be paid no later than 10 days after the former unit owner vacates his or her former unit.

3. For their respective units, all unit owners other than the bulk owner must be compensated at least 100 percent of the fair market value of their units. The fair market value shall be determined as of a date that is no earlier than 90 days before the date that the plan of termination is recorded and shall be determined by an independent appraiser selected by the termination trustee. For a person whose unit was granted homestead exemption status by the applicable county property appraiser, or was an owner-occupied operating business, as of the date that the plan of termination is recorded and who is current in payment of both assessments and other monetary obligations to the association as of the date the plan of termination is recorded, the fair market value shall be at least the original purchase price paid for the unit. For purposes of this subparagraph, the term "fair market value" means the price of a unit that a seller is willing to accept and a buyer is willing to pay on the open market in an arms-length transaction based on similar units sold in other condominiums, including units sold in bulk purchases but excluding units sold at wholesale or distressed prices. The purchase price of units acquired in bulk following a bankruptcy or foreclosure shall not be considered for purposes of determining fair market value.

4. The plan of termination must provide for payment of a

first mortgage encumbering a unit to the extent necessary to satisfy the lien, but the payment may not exceed the unit's share of the proceeds of termination under the plan. If the unit owner is current in payment of both assessments and other monetary obligations to the association and any mortgage encumbering the unit as of the date the plan of termination is recorded, the receipt by the holder of the unit's share of the proceeds of termination under the plan or the outstanding balance of the mortgage, whichever is less, shall be deemed to have satisfied the first mortgage in full.

5. Before a plan of termination is presented to the unit owners for consideration pursuant to this paragraph, the plan must include the following written disclosures in a sworn statement:

a. The identity of any person or entity that owns or controls 25 percent or more of the units in the condominium and, if the units are owned by an artificial entity or entities, a disclosure of the natural person or persons who, directly or indirectly, manage or control the entity or entities and the natural person or persons who, directly or indirectly, own or control 10 percent or more of the artificial entity or entities that constitute the bulk owner.

b. The units acquired by any bulk owner, the date each unit was acquired, and the total amount of compensation paid to each prior unit owner by the bulk owner, regardless of whether

2051 attributed to the purchase price of the unit.

2052 c. The relationship of any board member to the bulk owner
2053 or any person or entity affiliated with the bulk owner subject
2054 to disclosure pursuant to this subparagraph.

2055 d. The factual circumstances that show that the plan
2056 complies with the requirements of this section and that the plan
2057 supports the expressed public policies of this section.

2058 (d) If the members of the board of administration are
2059 elected by the bulk owner, unit owners other than the bulk owner
2060 may elect at least one-third of the members of the board of
2061 administration before the approval of any plan of termination.

2062 (e) Termination must be approved by the division after a
2063 plan of termination receives the requisite approval from the
2064 unit owners. The division shall examine the plan of termination
2065 to determine its procedural sufficiency and, within 45 days
2066 after receipt of the initial filing, the division shall notify
2067 the association by mail of any procedural deficiencies or that
2068 the filing is accepted. If the notice is not given within 45
2069 days after the receipt of the filing, the plan of termination is
2070 presumed to be accepted. If the division determines that the
2071 conditions required by this section have been met and that the
2072 plan complies with the procedural requirements of this section,
2073 the division shall authorize the termination, and the
2074 termination may proceed pursuant to this section.

2075 (f) Subsection (2) does not apply to optional termination

2076 pursuant to this subsection.

2077 (4) EXEMPTION.—A plan of termination is not an amendment
2078 subject to s. 718.110(4). In a partial termination, a plan of
2079 termination is not an amendment subject to s. 718.110(4) if the
2080 ownership share of the common elements of a surviving unit in
2081 the condominium remains in the same proportion to the surviving
2082 units as it was before the partial termination. Notwithstanding
2083 any provision in the declaration to the contrary, the
2084 association may amend the declaration of condominium for the
2085 purpose of incorporating this section by the lesser of the
2086 lowest percentage of voting interests necessary to amend the
2087 declaration or as otherwise provided in the declaration,
2088 whichever is less.

2089 (16) RIGHT TO CONTEST.—A unit owner or lienor may contest
2090 a plan of termination by initiating a petition in accordance
2091 with s. 718.1255 within 90 days after the date the plan is
2092 recorded. A unit owner or lienor may only contest the fairness
2093 and reasonableness of the apportionment of the proceeds from the
2094 sale among the unit owners;~~7~~ that the liens of the first
2095 mortgages of unit owners other than the bulk owner have not or
2096 will not be satisfied to the extent required by subsection (3);
2097 that the combined estimated fair market value of the units in
2098 the condominium after completion of the construction,
2099 replacement, or repairs contemplated by subparagraph (2)(a)1.
2100 exceeds the estimated value of the units before the

2101 construction, replacement, or repairs plus the cost of the
2102 construction, replacement, or repairs;~~7~~ or that the required
2103 vote to approve the plan was not obtained. A unit owner or
2104 lienor who does not contest the plan within the 90-day period is
2105 barred from asserting or prosecuting a claim against the
2106 association, the termination trustee, any unit owner, or any
2107 successor in interest to the condominium property. In an action
2108 contesting a plan of termination, the person contesting the plan
2109 has the burden of pleading and proving that the apportionment of
2110 the proceeds from the sale among the unit owners was not fair
2111 and reasonable or that the required vote was not obtained. The
2112 apportionment of sale proceeds is presumed fair and reasonable
2113 if it was determined pursuant to the methods prescribed in
2114 subsection (12). If the petition is filed with the division for
2115 arbitration, the arbitrator shall determine the rights and
2116 interests of the parties in the apportionment of the sale
2117 proceeds. If the arbitrator determines that the apportionment of
2118 sales proceeds is not fair and reasonable, the arbitrator may
2119 void the plan or may modify the plan to apportion the proceeds
2120 in a fair and reasonable manner pursuant to this section based
2121 upon the proceedings and order the modified plan of termination
2122 to be implemented. If the arbitrator determines that the plan
2123 was not properly approved, or that the procedures to adopt the
2124 plan were not properly followed, the arbitrator may void the
2125 plan or grant other relief it deems just and proper. The

arbitrator shall automatically void the plan upon a finding that any of the disclosures required in subparagraph (3)(c)5. are omitted, misleading, incomplete, or inaccurate. Any challenge to a plan, other than a challenge that the required vote was not obtained, does not affect title to the condominium property or the vesting of the condominium property in the trustee, but shall only be a claim against the proceeds of the plan. In any such action, the prevailing party shall recover reasonable attorney fees and costs.

Section 11. Subsection (7) of section 718.1255, Florida Statutes, is renumbered as subsection (9), paragraph (a) of subsection (4) and subsection (6) are amended, and new subsections (7) and (8) are added to that section, to read:

718.1255 Alternative dispute resolution; mediation; nonbinding arbitration; applicability.—

(4) NONBINDING ARBITRATION AND MEDIATION OF DISPUTES.—The Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation may employ full-time attorneys to act as arbitrators to conduct the arbitration hearings provided by this chapter. The division may also certify attorneys who are not employed by the division to act as arbitrators to conduct the arbitration hearings provided by this chapter. A person may not be employed by the department as a full-time arbitrator unless he or she is a member in good standing of The Florida Bar. A person may only be certified by

the division to act as an arbitrator if he or she has been a member in good standing of The Florida Bar for at least 5 years and has mediated or arbitrated at least 10 disputes involving condominiums in this state during the 3 years immediately preceding the date of application, mediated or arbitrated at least 30 disputes in any subject area in this state during the 3 years immediately preceding the date of application, or attained board certification in real estate law or condominium and planned development law from The Florida Bar. Arbitrator certification is valid for 1 year. An arbitrator who does not maintain the minimum qualifications for initial certification may not have his or her certification renewed. The department may not enter into a legal services contract for an arbitration hearing under this chapter with an attorney who is not a certified arbitrator unless a certified arbitrator is not available within 50 miles of the dispute. The department shall adopt rules of procedure to govern such arbitration hearings including mediation incident thereto. The decision of an arbitrator is final; however, a decision is not deemed final agency action. Nothing in this provision shall be construed to foreclose parties from proceeding in a trial de novo unless the parties have agreed that the arbitration is binding. If judicial proceedings are initiated, the final decision of the arbitrator is admissible in evidence in the trial de novo.

(a) Before the institution of court litigation, a party to

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2176 a dispute, other than an election or recall dispute, shall
2177 either petition the division for nonbinding arbitration or
2178 initiate presuit mediation as provided in subsection (5). In an
2179 election or recall dispute that is arbitrated by the division,
2180 the arbitration decision is binding on the parties unless
2181 removed pursuant to subsection (7). For all other disputes,
2182 arbitration is binding on the parties if all parties in
2183 arbitration agree to be bound in a writing filed in arbitration.
2184 The petition must be accompanied by a filing fee in the amount
2185 of \$50. Filing fees collected under this section must be used to
2186 defray the expenses of the alternative dispute resolution
2187 program.

2188 (6) DISPUTES INVOLVING ELECTION IRREGULARITIES OR RECALL
2189 OF A DIRECTOR.—Every arbitration petition received by the
2190 division and required to be filed under this section challenging
2191 the legality of the election of any director of the board of
2192 administration or the recall of any director of the board of
2193 administration must be handled on an expedited basis in the
2194 manner provided by the division's rules for recall arbitration
2195 disputes. If a challenge to an election or recall dispute is
2196 filed in circuit court, the challenge must be brought in equity
2197 as a summary proceeding pursuant to s. 51.011. The party filing
2198 the action may request the court to issue a temporary injunction
2199 to stay an upcoming election while the action is pending. The
2200 court must set an immediate hearing when an action is filed

2201 pursuant to this subsection. The court may limit the time for
2202 taking testimony based on the circumstances of the matter and
2203 the proximity of the date on which a succeeding election is
2204 scheduled, if applicable. An action filed pursuant to this
2205 subsection must be tried without a jury. The prevailing party in
2206 an action filed pursuant to this subsection shall recover
2207 reasonable attorney fees and costs.

2208 (7) REMOVAL OF ELECTION AND RECALL ARBITRATION ACTIONS.—

2209 (a) A unit owner, a recall representative, or an
2210 association may remove a petition for arbitration for an
2211 election or a recall dispute within 10 days after service of
2212 such petition by filing a notice of removal and complaint in the
2213 circuit court for the county in which the association is
2214 located. The failure to timely file a notice of removal and
2215 complaint bars the parties from seeking a trial de novo or
2216 otherwise filing an action in circuit court and the arbitration
2217 ruling by the division is final and binding on the parties.

2218 (b) A notice of removal and complaint, as well as a copy
2219 of all process, pleadings, and orders served in an action, must
2220 be signed pursuant to the Florida Rules of Civil Procedure. The
2221 party that does not seek the removal of the arbitration decision
2222 does not need to consent to the filing of a notice of removal
2223 and complaint. The party filing the notice of removal and
2224 complaint must simultaneously serve written notice to all
2225 parties and file a copy of such written notice with the

2226 division, which ceases any further action on the matter. The
2227 party filing the notice of removal and complaint must pay all
2228 applicable filing fees within 5 days after filing the notice of
2229 removal and complaint. An action or counterclaim filed after the
2230 filing of the notice of removal and complaint must be brought in
2231 equity as a summary proceeding pursuant to s. 51.011. The party
2232 filing the action may request the court to issue a temporary
2233 injunction to stay an upcoming election while the action is
2234 pending. The court must set an immediate hearing when an action
2235 is filed pursuant to this paragraph. The court may limit the
2236 time for taking testimony based on the circumstances of the
2237 matter and the proximity of the date on which a succeeding
2238 election is scheduled, if applicable. An action filed pursuant
2239 to this paragraph must be tried without a jury. Pursuant to
2240 subsection (8), reasonable attorney fees and costs may be
2241 awarded in disputes brought under this subsection.

2242 (8) ATTORNEY FEES AND COSTS FOR DISPUTES INVOLVING A
2243 RECALL OF DIRECTORS.—If the division or a court of this state
2244 renders a judgment or decree against an association and in favor
2245 of the unit owner, the division, trial court, or, in the event
2246 of an appeal in which the unit owner prevails, the appellate
2247 court shall order the association to pay all costs incurred by
2248 the unit owner in the action and the unit owner's reasonable
2249 attorney fees. The division or court may award such costs and
2250 attorney fees in the judgment or decree rendered in the action

2251 or such costs and attorney fees may be included in a separate
2252 judgment or decree. Costs and attorney fees may not be recovered
2253 in any action involving the recall of directors except as
2254 provided in this subsection or if awarded as a sanction under s.
2255 57.105.

2256 **Section 12. Subsection (6) of section 718.128, Florida**
2257 **Statutes, is renumbered as subsection (8), subsection (4) is**
2258 **amended, and new subsections (6) and (7) are added to that**
2259 **section, to read:**

2260 718.128 Electronic voting.—The association may conduct
2261 elections and other unit owner votes through an Internet-based
2262 online voting system if a unit owner consents, electronically or
2263 in writing, to online voting and if the following requirements
2264 are met:

2265 (4) This section applies to an association that provides
2266 for and authorizes an online voting system pursuant to this
2267 section by a board resolution. If the board authorizes online
2268 voting, the board must honor a unit owner's request to vote
2269 electronically at all subsequent elections, unless such unit
2270 owner opts out of online voting. The board resolution must
2271 provide that unit owners receive notice of the opportunity to
2272 vote through an online voting system, must establish reasonable
2273 procedures and deadlines for unit owners to consent,
2274 electronically or in writing, to online voting, and must
2275 establish reasonable procedures and deadlines for unit owners to

2276 opt out of online voting after giving consent. ~~Written notice of~~
2277 ~~a meeting at which the resolution will be considered must be~~
2278 ~~mailed, delivered, or electronically transmitted to the unit~~
2279 ~~owners and posted conspicuously on the condominium property or~~
2280 ~~association property at least 14 days before the meeting.~~
2281 ~~Evidence of compliance with the 14-day notice requirement must~~
2282 ~~be made by an affidavit executed by the person providing the~~
2283 ~~notice and filed with the official records of the association.~~

2284 (6) If at least 25 percent of the voting interests of a
2285 condominium petition the board to adopt a resolution for
2286 electronic voting for the next scheduled election, the board
2287 must hold a meeting within 21 days after receipt of the petition
2288 to adopt such resolution. The board must receive the petition
2289 within 180 days after the date of the last scheduled annual
2290 meeting.

2291 (7)(a) Unless the association has adopted electronic
2292 voting in accordance with subsections (1)-(6), the association
2293 must designate an e-mail address for receipt of electronically
2294 transmitted ballots. Electronically transmitted ballots must
2295 meet all the requirements of this subsection.

2296 (b) A unit owner may electronically transmit a ballot to
2297 the e-mail address designated by the association without
2298 complying with s. 718.112(2)(d)2. or the rules providing for the
2299 secrecy of ballots adopted by the division. The association must
2300 count completed ballots that are electronically transmitted to

2301 the designated e-mail address, provided the completed ballot
2302 complies with the requirements of this subsection.

2303 (c) A ballot that is electronically transmitted to the
2304 association must include all of the following:

2305 1. A space for the unit owner to type in his or her unit
2306 number.

2307 2. A space for the unit owner to type in his or her first
2308 and last name, which also functions as the signature of the unit
2309 owner for purposes of signing the ballot.

2310 3. The following statement in capitalized letters and in a
2311 font size larger than any other font size used in the e-mail
2312 from the association to the unit owner:

2313
2314 WAIVING THE SECRECY OF YOUR BALLOT IS YOUR CHOICE. YOU DO
2315 NOT HAVE TO WAIVE THE SECRECY OF YOUR BALLOT IN ORDER TO
2316 VOTE. BY TRANSMITTING YOUR COMPLETED BALLOT THROUGH E-MAIL
2317 TO THE ASSOCIATION, YOU WAIVE YOUR SECRECY OF YOUR
2318 COMPLETED BALLOT. IF YOU DO NOT WISH TO WAIVE YOUR SECRECY
2319 BUT WISH TO PARTICIPATE IN THE VOTE THAT IS THE SUBJECT OF
2320 THIS BALLOT, PLEASE ATTEND THE IN-PERSON MEETING DURING
2321 WHICH THE MATTER WILL BE VOTED ON.

2322
2323 (d) A unit owner must transmit his or her completed ballot
2324 to the e-mail address designated by the association no later
2325 than the scheduled date and time of the meeting during which the

2326 matter is being voted on.

2327 (e) There is a rebuttable presumption that an association
2328 has reviewed all folders associated with the e-mail address
2329 designated by the association to receive ballots if a board
2330 member, an officer, or an agent of the association, or a manager
2331 licensed under part VIII of chapter 468, provides a sworn
2332 affidavit attesting to such review.

2333 **Section 13. Subsection (7) of section 718.203, Florida**
2334 **Statutes, is amended to read:**

2335 718.203 Warranties.—

2336 (7) ~~Residential~~ Condominiums may be covered by an insured
2337 warranty program underwritten by a licensed insurance company
2338 registered in this state, provided that such warranty program
2339 meets the minimum requirements of this chapter; to the degree
2340 that such warranty program does not meet the minimum
2341 requirements of this chapter, such requirements shall apply.

2342 **Section 14. Subsection (1) of section 718.301, Florida**
2343 **Statutes, is amended to read:**

2344 718.301 Transfer of association control; claims of defect
2345 by association.—

2346 (1) If unit owners other than the developer own 15 percent
2347 or more of the units in a condominium that will be operated
2348 ultimately by an association, the unit owners other than the
2349 developer are entitled to elect at least one-third of the
2350 members of the board of administration of the association. Unit

owners other than the developer are entitled to elect at least a majority of the members of the board of administration of an association, upon the first to occur of any of the following events:

(a) Three years after 50 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(b) Three months after 90 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(c) When all the units that will be operated ultimately by the association have been completed, some of them have been conveyed to purchasers, and none of the others are being offered for sale by the developer in the ordinary course of business;

(d) When some of the units have been conveyed to purchasers and none of the others are being constructed or offered for sale by the developer in the ordinary course of business;

(e) When the developer files a petition seeking protection in bankruptcy;

(f) When a receiver for the developer is appointed by a circuit court and is not discharged within 30 days after such appointment, unless the court determines within 30 days after appointment of the receiver that transfer of control would be detrimental to the association or its members; or

2376 (g) Seven years after the date of the recording of the
2377 certificate of a surveyor and mapper pursuant to s.
2378 718.104(4) (e) or the recording of an instrument that transfers
2379 title to a unit in the condominium which is not accompanied by a
2380 recorded assignment of developer rights in favor of the grantee
2381 of such unit, whichever occurs first; or, in the case of an
2382 association that may ultimately operate more than one
2383 condominium, 7 years after the date of the recording of the
2384 certificate of a surveyor and mapper pursuant to s.
2385 718.104(4) (e) or the recording of an instrument that transfers
2386 title to a unit which is not accompanied by a recorded
2387 assignment of developer rights in favor of the grantee of such
2388 unit, whichever occurs first, for the first condominium it
2389 operates; or, in the case of an association operating a phase
2390 condominium created pursuant to s. 718.403, 7 years after the
2391 date of the recording of the certificate of a surveyor and
2392 mapper pursuant to s. 718.104(4) (e) or the recording of an
2393 instrument that transfers title to a unit which is not
2394 accompanied by a recorded assignment of developer rights in
2395 favor of the grantee of such unit, whichever occurs first.
2396
2397 The developer is entitled to elect at least one member of the
2398 board of administration of an association as long as the
2399 developer holds for sale in the ordinary course of business at
2400 least 5 percent, in condominiums with fewer than 500 units, and

2401 2 percent, in condominiums with more than 500 units, of the
2402 units in a condominium operated by the association. After the
2403 developer relinquishes control of the association, the developer
2404 may exercise the right to vote any developer-owned units in the
2405 same manner as any other unit owner except for purposes of
2406 reacquiring control of the association or selecting the majority
2407 members of the board of administration. Beginning July 1, 2025,
2408 paragraphs (a), (c), (d), and (g) do not apply to nonresidential
2409 condominiums comprised of 10 or fewer units.

2410 **Section 15. Paragraphs (a) and (b) of subsection (1) of**
2411 **section 718.302, Florida Statutes, are amended to read:**

2412 718.302 Agreements entered into by the association.—

2413 (1) Any grant or reservation made by a declaration, lease,
2414 or other document, and any contract made by an association prior
2415 to assumption of control of the association by unit owners other
2416 than the developer, that provides for operation, maintenance, or
2417 management of a condominium association or property serving the
2418 unit owners of a condominium shall be fair and reasonable, and
2419 such grant, reservation, or contract may be canceled by unit
2420 owners other than the developer:

2421 (a) If the association operates only one condominium and
2422 the unit owners other than the developer have assumed control of
2423 the association, or if unit owners other than the developer own
2424 at least ~~not less than~~ 75 percent of the voting interests in the
2425 condominium or 90 percent of the voting interests if the

condominium is a nonresidential condominium consisting of 10 or fewer units, the cancellation must ~~shall~~ be by concurrence of the owners of at least ~~not less than~~ 75 percent of the voting interests other than the voting interests owned by the developer. If a grant, reservation, or contract is so canceled and the unit owners other than the developer have not assumed control of the association, the association must ~~shall~~ make a new contract or otherwise provide for maintenance, management, or operation in lieu of the canceled obligation, at the direction of the owners of not less than a majority of the voting interests in the condominium other than the voting interests owned by the developer.

(b) If the association operates more than one condominium and the unit owners other than the developer have not assumed control of the association, and if unit owners other than the developer own at least 75 percent of the voting interests in the condominiums ~~a condominium~~ operated by the association or, beginning July 1, 2025, 90 percent of the voting interests if the condominium is a nonresidential condominium consisting of 10 or fewer units, any grant, reservation, or contract for maintenance, management, or operation of buildings containing the units in that condominium or of improvements used only by unit owners of that condominium may be canceled by concurrence of the owners of at least 75 percent, or 90 percent if the condominium is a nonresidential condominium consisting of 10 or

2451 fewer units, of the voting interests in the condominium other
2452 than the voting interests owned by the developer. A ~~No~~ grant,
2453 reservation, or contract for maintenance, management, or
2454 operation of recreational areas or any other property serving
2455 more than one condominium, and operated by more than one
2456 association, may not be canceled except pursuant to paragraph
2457 (d).

2458 **Section 16. Subsection (4) of section 718.407, Florida**
2459 **Statutes, is amended to read:**

2460 718.407 Condominiums created within a portion of a
2461 building or within a multiple parcel building.—

2462 (4) (a) The association of a condominium subject to this
2463 section may inspect and copy the books and records upon which
2464 the costs for maintaining and operating the shared facilities
2465 are based, and must ~~to~~ receive an annual budget with respect to
2466 such costs.

2467 (b) Within 60 days after the end of each fiscal year, the
2468 owner of a portion of a building that is not submitted to the
2469 condominium form of ownership must provide to the association a
2470 complete financial report of all costs for maintaining and
2471 operating the shared facilities. Such report must include copies
2472 of all receipts and invoices. If such owner fails to provide the
2473 report and copies of the receipts and invoices to the
2474 condominium association within the 60-day period, the division
2475 may impose penalties and otherwise enforce and ensure compliance

2476 with this subsection.

2477 (c) Within 60 days after receipt of the financial report,
2478 the association may challenge any apportionment of costs for the
2479 maintenance and operation of the shared facilities. A challenge
2480 under this paragraph is governed by s. 720.311.

2481 **Section 17. Subsections (1) and (3) of section 718.501,**
2482 **Florida Statutes, are amended, and paragraph (d) is added to**
2483 **subsection (2) of that section, to read:**

2484 718.501 Authority, responsibility, and duties of Division
2485 of Florida Condominiums, Timeshares, and Mobile Homes.—

2486 (1) The division may enforce and ensure compliance with
2487 this chapter and rules relating to the development,
2488 construction, sale, lease, ownership, operation, and management
2489 of residential condominium units and complaints ~~related to the~~
2490 ~~procedural completion of milestone inspections under s. 553.899.~~
2491 In performing its duties, the division has complete jurisdiction
2492 to investigate complaints and enforce compliance with respect to
2493 associations that are still under developer control or the
2494 control of a bulk assignee or bulk buyer pursuant to part VII of
2495 this chapter and complaints against developers, bulk assignees,
2496 or bulk buyers involving improper turnover or failure to
2497 turnover, pursuant to s. 718.301. However, after turnover has
2498 occurred, the division has jurisdiction to review records and
2499 investigate complaints related only to:

2500 (a)1. Procedural aspects and records relating to financial

2501 issues, including annual financial reporting under s.
2502 718.111(13); assessments for common expenses, fines, and
2503 commingling of reserve and operating funds under s. 718.111(14);
2504 use of debit cards for unintended purposes under s. 718.111(15);
2505 the annual operating budget and the allocation of reserve funds
2506 under s. 718.112(2)(f); financial records under s.
2507 718.111(12)(a)11.; and any other record necessary to determine
2508 the revenues and expenses of the association.

2509 2. Elections, including election and voting requirements
2510 under s. 718.112(2)(b) and (d), recall of board members under s.
2511 718.112(2)(1), electronic voting under s. 718.128, and elections
2512 that occur during an emergency under s. 718.1265(1)(a).

2513 3. The maintenance of and unit owner access to association
2514 records under s. 718.111(12).

2515 4. The procedural aspects of meetings, including unit
2516 owner meetings, quorums, voting requirements, proxies, board of
2517 administration meetings, and budget meetings under s.
2518 718.112(2).

2519 5. The disclosure of conflicts of interest under ss.
2520 718.111(1)(a) and 718.3027, including limitations contained in
2521 s. 718.111(3)(f).

2522 6. The removal of a board director or officer under ss.
2523 718.111(1)(a) and (15) and 718.112(2)(p) and (q).

2524 7. The procedural completion of structural integrity
2525 reserve studies under s. 718.112(2)(g) and the milestone

inspections conducted under s. 553.899.

8. The completion of repairs required by a milestone inspection conducted under s. 553.899.

~~9.8.~~ Any written inquiries by unit owners to the association relating to such matters, including written inquiries under s. 718.112(2)(a)2.

10. The requirement for associations to maintain an insurance policy or fidelity bond for all persons who control or disperse funds of the association under s. 718.111(11)(h).

11. The board member education requirements under s. 718.112(2)(d)5.b.

12. The reporting requirements for structural integrity reserve studies under subsection (3) and s. 718.112(2)(g)12.

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

2. The division may submit any official written report, worksheet, or other related paper, or a duly certified copy thereof, compiled, prepared, drafted, or otherwise made by and duly authenticated by a financial examiner or analyst to be admitted as competent evidence in any hearing in which the financial examiner or analyst is available for cross-examination and attests under oath that such documents were prepared as a

2551 result of an examination or inspection conducted pursuant to
2552 this chapter.

2553 (c) The division may require or permit any person to file
2554 a statement in writing, under oath or otherwise, as the division
2555 determines, as to the facts and circumstances concerning a
2556 matter to be investigated.

2557 (d) For the purpose of any investigation under this
2558 chapter, the division director or any officer or employee
2559 designated by the division director may administer oaths or
2560 affirmations, subpoena witnesses and compel their attendance,
2561 take evidence, and require the production of any matter which is
2562 relevant to the investigation, including the existence,
2563 description, nature, custody, condition, and location of any
2564 books, documents, or other tangible things and the identity and
2565 location of persons having knowledge of relevant facts or any
2566 other matter reasonably calculated to lead to the discovery of
2567 material evidence. Upon the failure by a person to obey a
2568 subpoena or to answer questions propounded by the investigating
2569 officer and upon reasonable notice to all affected persons, the
2570 division may apply to the circuit court for an order compelling
2571 compliance.

2572 (e) Notwithstanding any remedies available to unit owners
2573 and associations, if the division has reasonable cause to
2574 believe that a violation of any provision of this chapter or
2575 related rule has occurred, the division may institute

2576 enforcement proceedings in its own name against any developer,
2577 bulk assignee, bulk buyer, association, officer, or member of
2578 the board of administration, or its assignees or agents, as
2579 follows:

2580 1. The division may permit a person whose conduct or
2581 actions may be under investigation to waive formal proceedings
2582 and enter into a consent proceeding whereby orders, rules, or
2583 letters of censure or warning, whether formal or informal, may
2584 be entered against the person.

2585 2. The division may issue an order requiring the
2586 developer, bulk assignee, bulk buyer, association, developer-
2587 designated officer, or developer-designated member of the board
2588 of administration, developer-designated assignees or agents,
2589 bulk assignee-designated assignees or agents, bulk buyer-
2590 designated assignees or agents, community association manager,
2591 or community association management firm to cease and desist
2592 from the unlawful practice and take such affirmative action as
2593 in the judgment of the division carry out the purposes of this
2594 chapter. If the division finds that a developer, bulk assignee,
2595 bulk buyer, association, officer, or member of the board of
2596 administration, or its assignees or agents, is violating or is
2597 about to violate any provision of this chapter, any rule adopted
2598 or order issued by the division, or any written agreement
2599 entered into with the division, and presents an immediate danger
2600 to the public requiring an immediate final order, it may issue

an emergency cease and desist order reciting with particularity the facts underlying such findings. The emergency cease and desist order is effective for 90 days. If the division begins nonemergency cease and desist proceedings, the emergency cease and desist order remains effective until the conclusion of the proceedings under ss. 120.569 and 120.57.

3. If a developer, bulk assignee, or bulk buyer fails to pay any restitution determined by the division to be owed, plus any accrued interest at the highest rate permitted by law, within 30 days after expiration of any appellate time period of a final order requiring payment of restitution or the conclusion of any appeal thereof, whichever is later, the division must bring an action in circuit or county court on behalf of any association, class of unit owners, lessees, or purchasers for restitution, declaratory relief, injunctive relief, or any other available remedy. The division may also temporarily revoke its acceptance of the filing for the developer to which the restitution relates until payment of restitution is made.

4. The division may petition the court for appointment of a receiver or conservator. If appointed, the receiver or conservator may take action to implement the court order to ensure the performance of the order and to remedy any breach thereof. In addition to all other means provided by law for the enforcement of an injunction or temporary restraining order, the circuit court may impound or sequester the property of a party

defendant, including books, papers, documents, and related records, and allow the examination and use of the property by the division and a court-appointed receiver or conservator.

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

6. The division may impose a civil penalty against a developer, bulk assignee, or bulk buyer, or association, or its assignee or agent, for any violation of this chapter or related rule. The division may impose a civil penalty individually against an officer or board member who willfully and knowingly violates this chapter, an adopted rule, or a final order of the division; may order the removal of such individual as an officer or from the board of administration or as an officer of the association; and may prohibit such individual from serving as an officer or on the board of a community association for a period of time. The term "willfully and knowingly" means that the division informed the officer or board member that his or her action or intended action violates this chapter, a rule adopted

under this chapter, or a final order of the division and that the officer or board member refused to comply with the requirements of this chapter, a rule adopted under this chapter, or a final order of the division. The division, before initiating formal agency action under chapter 120, must afford the officer or board member an opportunity to voluntarily comply, and an officer or board member who complies within 10 days is not subject to a civil penalty. A penalty may be imposed on the basis of each day of continuing violation, but the penalty for any offense may not exceed \$5,000. The division shall adopt, by rule, penalty guidelines applicable to possible violations or to categories of violations of this chapter or rules adopted by the division. The guidelines must specify a meaningful range of civil penalties for each such violation of the statute and rules and must be based upon the harm caused by the violation, upon the repetition of the violation, and upon such other factors deemed relevant by the division. For example, the division may consider whether the violations were committed by a developer, bulk assignee, or bulk buyer, or owner-controlled association, the size of the association, and other factors. The guidelines must designate the possible mitigating or aggravating circumstances that justify a departure from the range of penalties provided by the rules. It is the legislative intent that minor violations be distinguished from those which endanger the health, safety, or welfare of the condominium

residents or other persons and that such guidelines provide reasonable and meaningful notice to the public of likely penalties that may be imposed for proscribed conduct. This subsection does not limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, agreed settlement, or consent order. All amounts collected shall be deposited with the Chief Financial Officer to the credit of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. If a developer, bulk assignee, or bulk buyer fails to pay the civil penalty and the amount deemed to be owed to the association, the division shall issue an order directing that such developer, bulk assignee, or bulk buyer cease and desist from further operation until such time as the civil penalty is paid or may pursue enforcement of the penalty in a court of competent jurisdiction. If an association fails to pay the civil penalty, the division shall pursue enforcement in a court of competent jurisdiction, and the order imposing the civil penalty or the cease and desist order is not effective until 20 days after the date of such order. Any action commenced by the division shall be brought in the county in which the division has its executive offices or in the county in which the violation occurred.

7. If a unit owner presents the division with proof that the unit owner has requested access to official records in writing by certified mail, and that after 10 days the unit owner

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

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

9. The division may issue citations and promulgate rules to provide for citation bases and citation procedures in accordance with this paragraph.

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

2726 (g) The division may adopt rules to administer and enforce
2727 this chapter.

2728 (h) The division shall establish procedures for providing
2729 notice to an association and the developer, bulk assignee, or
2730 bulk buyer during the period in which the developer, bulk
2731 assignee, or bulk buyer controls the association if the division
2732 is considering the issuance of a declaratory statement with
2733 respect to the declaration of condominium or any related
2734 document governing such condominium community.

2735 (i) The division shall furnish each association that pays
2736 the fees required by paragraph (2)(a) a copy of this chapter, as
2737 amended, and the rules adopted thereto on an annual basis.

2738 (j) The division shall annually provide each association
2739 with a summary of declaratory statements and formal legal
2740 opinions relating to the operations of condominiums which were
2741 rendered by the division during the previous year.

2742 (k) The division shall provide training and educational
2743 programs for condominium association board members and unit
2744 owners. The training may, in the division's discretion, include
2745 web-based electronic media and live training and seminars in
2746 various locations throughout the state. The division may review
2747 and approve education and training programs for board members
2748 and unit owners offered by providers and shall maintain a
2749 current list of approved programs and providers and make such
2750 list available to board members and unit owners in a reasonable

2751 and cost-effective manner. The division shall provide the
2752 division-approved provider with the template certificate for
2753 issuance directly to the association's board of directors who
2754 have satisfactorily completed the requirements under s.
2755 718.112(2) (d). The division shall adopt rules to implement this
2756 section.

2757 (1) The division shall maintain a toll-free telephone
2758 number accessible to condominium unit owners.

2759 (m) The division shall develop a program to certify both
2760 volunteer and paid mediators to provide mediation of condominium
2761 disputes. The division shall provide, upon request, a list of
2762 such mediators to any association, unit owner, or other
2763 participant in alternative dispute resolution proceedings under
2764 s. 718.1255 requesting a copy of the list. The division shall
2765 include on the list of volunteer mediators only the names of
2766 persons who have received at least 20 hours of training in
2767 mediation techniques or who have mediated at least 20 disputes.
2768 In order to become initially certified by the division, paid
2769 mediators must be certified by the Supreme Court to mediate
2770 court cases in county or circuit courts. However, the division
2771 may adopt, by rule, additional factors for the certification of
2772 paid mediators, which must be related to experience, education,
2773 or background. Any person initially certified as a paid mediator
2774 by the division must, in order to continue to be certified,
2775 comply with the factors or requirements adopted by rule.

(n) If a complaint is made, the division must conduct its inquiry with due regard for the interests of the affected parties. Within 30 days after receipt of a complaint, the division shall acknowledge the complaint in writing and notify the complainant whether the complaint is within the jurisdiction of the division and whether additional information is needed by the division from the complainant. The division shall conduct its investigation and, within 90 days after receipt of the original complaint or of timely requested additional information, take action upon the complaint. However, the failure to complete the investigation within 90 days does not prevent the division from continuing the investigation, accepting or considering evidence obtained or received after 90 days, or taking administrative action if reasonable cause exists to believe that a violation of this chapter or a rule has occurred. If an investigation is not completed within the time limits established in this paragraph, the division shall, on a monthly basis, notify the complainant in writing of the status of the investigation. When reporting its action to the complainant, the division shall inform the complainant of any right to a hearing under ss. 120.569 and 120.57. The division may adopt rules regarding the submission of a complaint against an association.

(o) Condominium association directors, officers, and employees; condominium developers; bulk assignees, bulk buyers,

2801 and community association managers; and community association
2802 management firms have an ongoing duty to reasonably cooperate
2803 with the division in any investigation under this section. The
2804 division shall refer to local law enforcement authorities any
2805 person whom the division believes has altered, destroyed,
2806 concealed, or removed any record, document, or thing required to
2807 be kept or maintained by this chapter with the purpose to impair
2808 its verity or availability in the department's investigation.
2809 The division shall refer to local law enforcement authorities
2810 any person whom the division believes has engaged in fraud,
2811 theft, embezzlement, or other criminal activity or when the
2812 division has cause to believe that fraud, theft, embezzlement,
2813 or other criminal activity has occurred.

2814 (p) The division director or any officer or employee of
2815 the division and the condominium ombudsman or any employee of
2816 the Office of the Condominium Ombudsman may attend and observe
2817 any meeting of the board of administration or any unit owner
2818 meeting, including any meeting of a subcommittee or special
2819 committee, which is open to members of the association for the
2820 purpose of performing the duties of the division or the Office
2821 of the Condominium Ombudsman under this chapter.

2822 (q) The division may:

- 2823 1. Contract with agencies in this state or other
2824 jurisdictions to perform investigative functions; or
- 2825 2. Accept grants-in-aid from any source.

2826 (r) The division shall cooperate with similar agencies in
2827 other jurisdictions to establish uniform filing procedures and
2828 forms, public offering statements, advertising standards, and
2829 rules and common administrative practices.

2830 (s) The division shall consider notice to a developer,
2831 bulk assignee, or bulk buyer to be complete when it is delivered
2832 to the address of the developer, bulk assignee, or bulk buyer
2833 currently on file with the division.

2834 (t) In addition to its enforcement authority, the division
2835 may issue a notice to show cause, which must provide for a
2836 hearing, upon written request, in accordance with chapter 120.

2837 (u) If the division receives a complaint regarding access
2838 to official records on the association's website or through an
2839 application that can be downloaded on a mobile device under s.
2840 718.111(12)(g), the division may request access to the
2841 association's website or application and investigate. The
2842 division may adopt rules to carry out this paragraph.

2843 (v) The division shall submit to the Governor, the
2844 President of the Senate, the Speaker of the House of
2845 Representatives, and the chairs of the legislative
2846 appropriations committees an annual report that includes, but
2847 need not be limited to, the number of training programs provided
2848 for condominium association board members and unit owners, the
2849 number of complaints received by type, the number and percent of
2850 complaints acknowledged in writing within 30 days and the number

and percent of investigations acted upon within 90 days in accordance with paragraph (n), and the number of investigations exceeding the 90-day requirement. The annual report must also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. After December 31, 2024, the division must include a list of the associations that have completed the structural integrity reserve study required under s. 718.112(2)(g). The report shall be submitted by September 30 following the end of the fiscal year.

(2)

(d) Each condominium association must create and maintain an online account with the division. Board members of each association must maintain accurate contact information on file with the division. The division shall adopt rules to implement this paragraph.

(3)(a) On or before October 1, 2025, all January 1, 2023, condominium associations must provide specified information in an electronic format determined by the division. The information in paragraphs (a), (b), and (c) must be updated within 15 days after any changes are made to the information. The information that must be provided to the division includes, but is not limited to:

(a) The contact information for the association which includes all of the following:

2876 1. The name of the association.

2877 2. The mailing address of the association and the county
2878 in which the association is located.

2879 3. The e-mail address and telephone number for the
2880 association.

2881 4. The name, board title, and e-mail address for each
2882 member of the association's board of directors.

2883 5. The name and contact information of the community
2884 association manager or community association management firm of
2885 the association, if applicable.

2886 6. The name and contact information of each person or
2887 community association management firm responsible for remitting
2888 any payment to the division.

2889 7. The hyperlink or website address to the association's
2890 website, if applicable.

2891 ~~(b) The total existing on or before July 1, 2022, must~~
2892 ~~provide the following information to the division in writing, by~~
2893 ~~e-mail, United States Postal Service, commercial delivery~~
2894 ~~service, or hand delivery, at a physical address or e-mail~~
2895 ~~address provided by the division and on a form posted on the~~
2896 ~~division's website:~~

2897 ~~1. The number of buildings on the condominium property~~ and
2898 for each building the following information:

2899 1. The physical address of the building.

2900 2. The total number of stories in each building on the

condominium property, including both habitable and uninhabitable stories ~~that are three stories or higher in height.~~

~~3.2.~~ The total number of units in all such buildings.

4. The age of each building on the property based on the association's certificate of occupancy.

5. Any construction that was commenced on the common elements within the previous 12 months.

(c) The association's assessments, including all of the following information:

1. The amount of the assessments or special assessments, including for reserves, by unit type.

2. The purpose of the assessments or special assessments.

3. The name of the financial institution or institutions with which the association maintains accounts.

(d) A copy of any structural integrity reserve study and any associated materials requested by the division, which must be provided within 5 business days after such request and in a manner prescribed by the division.

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(b) The division must compile a list of the number of buildings on condominium property that are three stories or higher in height, which is searchable by county, and must post the list on the division's website. This list must include all of the following information:~~

~~1. The name of each association with buildings on the condominium property that are three stories or higher in height.~~

~~2. The number of such buildings on each association's property.~~

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(c) An association must provide an update in writing to the division if there are any changes to the information in the list under paragraph (b) within 6 months after the change.~~

Section 18. Paragraph (d) of subsection (1) and paragraphs (d) and (e) of subsection (2) of section 718.503, Florida Statutes, are amended to read:

718.503 Developer disclosure prior to sale; nondeveloper unit owner disclosure prior to sale; voidability.—

(1) DEVELOPER DISCLOSURE.—

(d) Milestone inspection, turnover inspection report, or structural integrity reserve study.—If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that

the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103 ~~718.103(26)~~ AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15

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2976 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO
2977 EXECUTION OF THIS CONTRACT; or ~~and~~

2978 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
2979 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
2980 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
2981 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
2982 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
2983 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
2984 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
2985 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
2986 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
2987 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
2988 RESERVE STUDY DESCRIBED IN SECTIONS 718.103 ~~718.103(26)~~ AND
2989 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED
2990 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
2991 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15
2992 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
2993 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED
2994 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN
2995 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER
2996 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q),
2997 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
2998 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103
2999 ~~718.103(26)~~ AND 718.112(2) (g), FLORIDA STATUTES, IF REQUESTED IN
3000 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT

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CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser prior to closing.

(2) NONDEVELOPER DISCLOSURE.—

(d) Each contract entered into after July 1, 1992, for the resale of a residential unit shall contain in conspicuous type either:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION OF THE ASSOCIATION, BYLAWS AND RULES OF THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL STATEMENT AND ANNUAL BUDGET, A COPY OF ALL CURRENT LINE OF CREDIT AGREEMENTS AND LINE OF CREDIT LOAN DOCUMENTS, A COPY OF ALL ASSESSMENTS FROM THE PREVIOUS 2 YEARS, AND A COPY OF THE FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF THIS CONTRACT; or

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF

3026 THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL
3027 STATEMENT AND ANNUAL BUDGET, A COPY OF ALL CURRENT LINE OF
3028 CREDIT AGREEMENTS AND LINE OF CREDIT LOAN DOCUMENTS, A COPY OF
3029 ALL ASSESSMENTS FROM THE PREVIOUS 2 YEARS, AND A COPY OF THE
3030 FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT IF SO REQUESTED
3031 IN WRITING. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS
3032 SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR
3033 A PERIOD OF NOT MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS,
3034 AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES THE DECLARATION,
3035 ARTICLES OF INCORPORATION, BYLAWS AND RULES OF THE ASSOCIATION,
3036 ~~AND A COPY OF THE MOST RECENT ANNUAL FINANCIAL STATEMENT AND~~
3037 ANNUAL BUDGET, A COPY OF ALL CURRENT LINE OF CREDIT AGREEMENTS
3038 AND LINE OF CREDIT LOAN DOCUMENTS, A COPY OF ALL ASSESSMENTS
3039 FROM THE PREVIOUS 2 YEARS, ~~YEAR-END FINANCIAL INFORMATION~~ AND A
3040 COPY OF THE FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT IF
3041 REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL
3042 TERMINATE AT CLOSING.

3043
3044 A contract that does not conform to the requirements of this
3045 paragraph is voidable at the option of the purchaser before
3046 ~~prior to~~ closing.

3047 (e) If the association is required to have completed a
3048 milestone inspection as described in s. 553.899, a turnover
3049 inspection report for a turnover inspection performed on or
3050 after July 1, 2023, or a structural integrity reserve study, and

the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR- PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION

718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103 ~~718.103(26)~~ AND 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO EXECUTION OF THIS CONTRACT; or ~~and~~

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103 ~~718.103(26)~~ AND 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q),

FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103
~~718.103(26)~~ AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN
WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT
CLOSING.

A contract that does not conform to the requirements of this
paragraph is voidable at the option of the purchaser before
~~prior to~~ closing.

**Section 19. Section 31 of chapter 2024-244, Laws of
Florida, is amended to read:**

Section 31. The amendments made to ss. 718.103(14) and
718.202(3) and s. 718.407(1), (2), and (6), Florida Statutes, as
created by this act, are intended to clarify existing law and
shall apply retroactively. However, such amendments do not
revive, ~~or~~ reinstate, or retroactively apply to any right or
interest of a condominium unit owner or condominium association
in a matter pending adjudication ~~that has been fully and finally~~
~~adjudicated as invalid~~ before December ~~October~~ 1, 2024.

**Section 20. Subsection (3) of section 914.21, Florida
Statutes, is amended to read:**

914.21 Definitions.—As used in ss. 914.22-914.24, the
term:

(3) "Official investigation" means any investigation
instituted by a law enforcement agency or prosecuting officer of

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3126 | this ~~the~~ state, ~~or~~ a political subdivision of this ~~the~~ state, ~~or~~
3127 | the Commission on Ethics, or the Division of Florida
3128 | Condominiums, Timeshares, and Mobile Homes of the Department of
3129 | Business and Professional Regulation.

3130 | **Section 21.** Except as otherwise provided in this act, this
3131 | act shall take effect July 1, 2025.