

By Senator Trumbull

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A bill to be entitled

An act relating to condominium associations; amending s. 718.111, F.S.; requiring condominium associations to maintain turnover certificates and annual reports as part of their official records; amending s. 718.124, F.S.; providing applicability and construction; amending s. 718.301, F.S.; requiring the board of administration of a condominium association to file with the Division of Condominiums, Timeshares, and Mobile Homes a turnover certificate within a specified timeframe; requiring that a turnover certificate include certain information; requiring the division to maintain a publicly accessible online database of turnover certificates, which must include specified information; amending s. 718.501, F.S.; requiring the division to create and maintain a searchable electronic database of turnover certificates; requiring the division to adopt rules; providing an effective date.

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

Section 1. Paragraph (a) of subsection (12) of section 718.111, Florida Statutes, is amended to read:

718.111 The association.—

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

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

32 2. A copy of the recorded declaration of condominium of
33 each condominium operated by the association and each amendment
34 to each declaration.

35 3. A copy of the recorded bylaws of the association and
36 each amendment to the bylaws.

37 4. A certified copy of the articles of incorporation of the
38 association, or other documents creating the association, and
39 each amendment thereto.

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

41 6. A book or books or electronic records that contain the
42 minutes of all meetings of the association, the board of
43 administration, any committee, and the unit owners, and a
44 recording of all such meetings that are conducted by video
45 conference. If there are approved minutes for a meeting held by
46 video conference, recordings of meetings that are conducted by
47 video conference must be maintained for at least 1 year after
48 the date the video recording is posted as required under
49 paragraph (g).

50 7. A current roster of all unit owners and their mailing
51 addresses, unit identifications, voting certifications, and, if
52 known, telephone numbers. The association shall also maintain
53 the e-mail addresses and facsimile numbers of unit owners
54 consenting to receive notice by electronic transmission. In
55 accordance with sub-subparagraph (c)5.e., the e-mail addresses
56 and facsimile numbers are only accessible to unit owners if
57 consent to receive notice by electronic transmission is
58 provided, or if the unit owner has expressly indicated that such

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

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

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

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

81 11. Accounting records for the association and separate
82 accounting records for each condominium that the association
83 operates. Any person who knowingly or intentionally defaces or
84 destroys such records, or who knowingly or intentionally fails
85 to create or maintain such records, with the intent of causing
86 harm to the association or one or more of its members, is
87 personally subject to a civil penalty pursuant to s.

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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, including all bank statements and ledgers.

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.

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117 15. A copy of the inspection reports described in ss.
118 553.899 and 718.301(4)(p) and any other inspection report
119 relating to a structural or life safety inspection of
120 condominium property. Such record must be maintained by the
121 association for 15 years after receipt of the report.

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

123 17. All affirmative acknowledgments made pursuant to s.
124 718.121(4)(c).

125 18. A copy of all building permits.

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

128 20. A copy of all affidavits required by this chapter.

129 21. A copy of the association's turnover certificate.

130 22. A copy of the association's annual report required
131 under s. 617.1622.

132 23.21. All other written records of the association not
133 specifically included in the foregoing which are related to the
134 operation of the association.

135 Section 2. Section 718.124, Florida Statutes, is amended to
136 read:

137 718.124 Limitation on actions by association.—

138 (1) The statute of limitations and statute of repose for
139 any actions in law or equity which a condominium association ~~or~~
140 ~~a cooperative association~~ may have do ~~shall~~ not begin to run
141 until the unit owners have elected a majority of the members of
142 the board of administration.

143 (2) The tolling of any applicable statute of limitations
144 and statute of repose under subsection (1) does not apply to
145 actions that are subject to s. 95.11(3)(b). Actions that are

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subject to s. 95.11(3)(b) must be commenced within the time periods prescribed in s. 95.11(3)(b), and subsection (1) may not be construed to extend, suspend, or otherwise toll such limitation periods.

Section 3. Subsection (2) of section 718.301, Florida Statutes, is amended to read:

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

(2)(a) Within 75 days after the unit owners other than the developer are entitled to elect a member or members of the board of administration of an association, the association shall call, and give not less than 60 days' notice of an election for the members of the board of administration. The election shall proceed as provided in s. 718.112(2)(d). The notice may be given by any unit owner if the association fails to do so. Upon election of the first unit owner other than the developer to the board of administration, the developer shall forward to the division the name and mailing address of the unit owner board member.

(b) Within 30 days after the election in which the unit owners other than the developer elect a majority of the members of the board of administration of an association, the board shall file with the division a turnover certificate. The turnover certificate must include the date of the election and the names and mailing addresses of each elected unit owner board member. The division shall maintain a publicly accessible online database of turnover certificates which must include the name and mailing address of each condominium, the date on which turnover occurred, and a digital copy of the turnover

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175 certificate.

176 Section 4. Subsection (4) is added to section 718.501,
177 Florida Statutes, to read:

178 718.501 Authority, responsibility, and duties of Division
179 of Florida Condominiums, Timeshares, and Mobile Homes.—

180 (4) The division shall create and maintain a searchable
181 electronic database of each turnover certificate filed pursuant
182 to s. 718.301(2)(b). The database must include the name and
183 mailing address of each condominium association, the date on
184 which turnover occurred, and a digital copy of the turnover
185 certificate. The division shall adopt rules prescribing the form
186 and content of the turnover certificate and the procedures for
187 electronically filing a turnover certificate.

188 Section 5. This act shall take effect July 1, 2026.