

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 657 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Housing, Agriculture &
Tourism Subcommittee

Representative Porras offered the following:

Amendment (with title amendment)

Between lines 53 and 54, insert:

Section 1. Section 712.13, Florida Statutes, is created to
read:

712.13 Governing documents associated with dissolved
homeowners' associations.—

(1) The Legislature finds that when a homeowners'
association has been dissolved, voluntarily or involuntarily,
the recorded governing documents created solely for the
association's benefit may remain in the county records
indefinitely, imposing an undue burden on private property
owners. It is the intent of the Legislature to restore and

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protect private property rights by ensuring that such encumbrances are properly extinguished or removed from the official records of the county when the association ceases to exist.

(2) As used in this section, the term:

(a) "Dissolved association" means a homeowners' association that has filed articles of dissolution with the Department of State under chapter 617 or has otherwise ceased its legal operation and existence.

(b) "Exclusive easement" means an easement recorded for the sole benefit or use of a homeowners' association or its members.

(c) "Governing documents" has the same meaning as in s. 720.301.

(d) "Servient estate" means the real property burdened by an easement.

(3) (a) Upon the dissolution of a homeowners' association, the governing documents of the association, which were recorded in the official records of a county and created solely for the operation or benefit of the dissolved association or its members, are deemed terminated and are unenforceable.

(b) The recorded governing documents may not be construed to create any rights for the general public or for any successor entity unless expressly provided by law.

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41 (c) The clerk of the circuit court shall, upon receipt of
42 a certified copy of the association's articles of dissolution,
43 mark or otherwise indicate in the county's official records that
44 the governing documents for the dissolved association are
45 terminated and inactive.

46 (4) (a) An exclusive easement created for the benefit of a
47 homeowners' association or its members must revert to the
48 servient estate upon dissolution of the association if the owner
49 of the servient estate has continuously paid his or her ad
50 valorem taxes on the land encumbered by the easement.

51 (b) Upon reversion, the exclusive easement is extinguished
52 and the owner of the servient estate regains full rights of
53 ownership, possession, and control of the land encumbered by the
54 easement.

55 (c) An easement formerly held by a homeowners' association
56 may not become a public right-of-way, trail, or access route
57 unless a separate, valid written notice in accordance with s.
58 712.06 has been recorded to preserve the easement for the
59 benefit of the public.

60 (5) This section does not impair or extinguish easements,
61 covenants, or restrictions benefiting individual property owners
62 which were separately recorded or preserved under this chapter.

63 (6) This section applies both prospectively and
64 retroactively to homeowners' associations dissolved before, on,
65 or after July 1, 2026.

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Section 2. Subsection (8) is added to section 718.104, Florida Statutes, to read:

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

(8)(a) Beginning July 1, 2026, each association formed on or after that date must include the following statement in the governing documents:

This association and the association's governing documents are governed by the Florida Condominium Act, as amended from time to time.

(b) By January 1, 2027, each association in existence before July 1, 2026, must hold a meeting of the members in accordance with s. 718.112 to vote whether to amend the governing documents of the association to include the statement in paragraph (a). The association must obtain the affirmative approval of a majority of the voting interests at a meeting of the membership at which a quorum has been attained in order to amend the governing documents under this paragraph.

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

Remove line 2 and insert:

An act relating to community associations; creating s. 712.13, F.S.; providing legislative findings and intent; providing definitions; providing that the recorded governing documents of a dissolved homeowners' association are deemed terminated and unenforceable; requiring the clerk of the circuit court to indicate in the county records that a dissolved association's governing documents are terminated and inactive; requiring certain exclusive easements to revert to the servient estate upon dissolution of a homeowners' association under certain circumstances; providing for the extinguishment of such easement; prohibiting an easement held by a dissolved association from becoming a public right-of-way, trail, or access route unless the easement is separately recorded for public use; providing construction; providing retroactive applicability; amending s. 718.104, F.S.; requiring condominium associations to include a specified statement in the governing documents or to hold a meeting by a date certain to vote to amend the governing documents to include such statement; requiring a vote held at such

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116 meetings to be approved by a certain amount of the
117 voting interests; amending s.