

By Senator Osgood

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A bill to be entitled
An act relating to condominium structural integrity
reserve studies; amending s. 553.899, F.S.; defining
the term "structural integrity reserve study";
requiring condominium associations that govern a
building of a specified height to conduct a structural
integrity reserve study for a specified purpose;
providing that condominium associations that govern a
building that does not meet such specified height
requirement are not required to conduct a structural
integrity reserve study; authorizing certain
condominium associations to elect, by a majority vote
of their members, to waive or reduce reserve
contributions; providing construction; providing an
effective date.

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

Section 1. Present paragraph (b) of subsection (2) and
present subsections (3) through (15) of section 553.899, Florida
Statutes, are redesignated as paragraph (c) of subsection (2)
and subsections (4) through (16), respectively, a new paragraph
(b) is added to subsection (2) of that section, a new subsection
(3) is added to that section, and paragraph (d) of present
subsection (3) and present subsections (6), (7), and (13) of
that section are amended, to read:

553.899 Mandatory structural inspections for condominium
and cooperative buildings.—

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

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30 (b) "Structural integrity reserve study" has the same
31 meaning as in s. 718.103.

32 (3) (a) Condominium associations that govern a building that
33 is six stories or more in height, as determined by the Florida
34 Building Code, must conduct a structural integrity reserve study
35 of the building for the purpose of estimating future
36 maintenance, repair, and replacement costs of common elements
37 and funding adequate reserves based on the findings of the
38 study.

39 (b) Condominium associations that govern a building that is
40 five stories or less in height, as determined by the Florida
41 Building Code, are not required to conduct a structural
42 integrity reserve study of the building and may, by a majority
43 vote of the unit owners present at a duly called meeting, elect
44 to waive or reduce reserve contributions.

45 (c) A structural integrity reserve study conducted pursuant
46 to this subsection must comply with the standards established
47 under s. 718.112(2) (g).

48 (4) ~~(3)~~

49 (d) The local enforcement agency may accept an inspection
50 report prepared by a licensed engineer or architect for a
51 structural integrity and condition inspection of a building
52 performed before July 1, 2022, if the inspection and report
53 substantially comply with the requirements of this section.
54 Notwithstanding when such inspection was completed, the
55 condominium or cooperative association must comply with the unit
56 owner notice requirements in subsection (10) ~~(9)~~. The inspection
57 for which an inspection report is accepted by the local
58 enforcement agency under this paragraph is deemed a milestone

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inspection for the applicable requirements in chapters 718 and 719. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.

(7)~~(6)~~ Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under subsection (6) ~~(5)~~. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

(8)~~(7)~~ A milestone inspection consists of two phases:

(a) For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in paragraph (b), is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to subsection (9) ~~(8)~~.

(b) A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve

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destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to subsection (9) ~~(8)~~.

(14) ~~(13)~~ (a) On or before December 31, 2025, and on or before each December 31 thereafter, the local enforcement agency responsible for milestone inspections shall provide the department, in an electronic format determined by the department, information that must include, but is not limited to:

1. The number of buildings required to have a milestone inspection within the agency's jurisdiction.

2. The number of buildings for which a phase one milestone inspection has been completed.

3. The number of buildings granted an extension under paragraph (4) (c) ~~(3) (c)~~.

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117 4. The number of buildings required to have a phase two
118 milestone inspection.

119 5. The number of buildings for which a phase two milestone
120 inspection has been completed.

121 6. The number, type, and value of permit applications
122 received to complete repairs required by a phase two milestone
123 inspection.

124 7. A list of buildings deemed to be unsafe or uninhabitable
125 as determined by a milestone inspection.

126 8. The license number of the building code administrator
127 responsible for milestone inspections for the local enforcement
128 agency.

129 (b) The department shall provide to the Office of Program
130 Policy Analysis and Government Accountability (OPPAGA) all
131 information obtained from the local enforcement agencies under
132 paragraph (a) by the date specified and in a manner prescribed
133 by OPPAGA. OPPAGA may request from a local enforcement agency
134 any additional information necessary to compile the information
135 and provide a report to the President of the Senate and the
136 Speaker of the House of Representatives.

137 Section 2. This act shall take effect July 1, 2026.