

1 A bill to be entitled  
2 An act relating to community associations; amending s.  
3 468.4334, F.S.; requiring community association  
4 managers and community association management firms to  
5 return official records of an association within a  
6 specified time after termination of a contract;  
7 requiring notices of termination of certain  
8 contractual agreements to be sent in a specified  
9 manner; authorizing community association managers and  
10 community association management firms to retain, for  
11 a specified timeframe, records necessary to complete  
12 an ending financial statement or report; relieving  
13 community association managers and community  
14 association management firms from certain  
15 responsibilities and liability under certain  
16 circumstances; providing a rebuttable presumption  
17 regarding noncompliance; providing penalties for the  
18 failure to timely return official records; providing  
19 an exception for certain time periods for timeshare  
20 plans; creating s. 468.4335, F.S.; requiring community  
21 association managers and community association  
22 management firms to disclose certain conflicts of  
23 interest to the association's board; providing a  
24 rebuttable presumption as to the existence of a  
25 conflict; requiring an association to solicit multiple

26 bids for goods or services under certain  
27 circumstances; providing requirements for an  
28 association to approve any activity and contracts that  
29 are a conflict of interest; providing that a conflict  
30 of interest in a contract which has been previously  
31 disclosed must to be noticed and voted on upon its  
32 renewal, but not during the term of the contract;  
33 authorizing certain contracts to be canceled, subject  
34 to certain requirements; specifying liability and  
35 nonliability of the association upon cancellation of  
36 such a contract; authorizing an association to cancel  
37 a contract if certain conflicts were not disclosed;  
38 specifying liability and nonliability of the  
39 association upon cancellation of a contract; defining  
40 the term "relative"; reenacting and amending s.  
41 468.436, F.S.; revising the list of grounds for which  
42 the Department of Business and Professional Regulation  
43 may take disciplinary actions against community  
44 association managers or community association firms;  
45 amending s. 553.899, F.S.; exempting certain four-  
46 family dwellings from requiring a milestone inspection  
47 and milestone inspection report; amending s. 718.103,  
48 F.S.; revising and providing definitions; amending s.  
49 718.104, F.S.; providing requirements for the  
50 declaration of specified condominiums; requiring

51 |        declarations to specify the entity responsible for the  
52 |        installation, maintenance, repair, or replacement of  
53 |        hurricane protection; amending s. 718.111, F.S.;  
54 |        providing criminal penalties for any officer,  
55 |        director, or manager of an association who unlawfully  
56 |        solicits, offers to accept, or accepts a kickback;  
57 |        requiring such officers, directors, or managers to be  
58 |        removed from office and a vacancy declared; requiring  
59 |        the Division of Florida Condominiums, Timeshares, and  
60 |        Mobile Homes to monitor an association's compliance  
61 |        with certain provisions, and issue fines and penalties  
62 |        if necessary, upon receipt of a complaint; revising  
63 |        the list of records that constitute the official  
64 |        records of an association; providing requirements  
65 |        relating to e-mail addresses and facsimile numbers of  
66 |        unit owners; requiring an association to redact  
67 |        certain personal information in certain documents;  
68 |        providing an exception to liability for the release of  
69 |        certain information; revising maintenance requirements  
70 |        for official records; revising requirements regarding  
71 |        requests to inspect or copy association records;  
72 |        requiring an association to provide a checklist in  
73 |        response to certain records requests; providing a  
74 |        rebuttable presumption and criminal penalties;  
75 |        requiring certain persons to be removed from office

76 and a vacancy declared under certain circumstances;  
77 defining the term "repeatedly"; requiring copies of  
78 certain building permits be posted on an association's  
79 website or application; modifying the method of  
80 delivery of certain financial reports to unit owners;  
81 revising circumstances under which an association may  
82 prepare certain reports; revising criminal penalties  
83 for persons who unlawfully use a debit card issued in  
84 the name of an association; requiring certain persons  
85 to be removed from office and a vacancy declared under  
86 certain circumstances; defining the term "lawful  
87 obligation of the association"; revising the threshold  
88 for associations that must post certain documents on  
89 its website or through an application; amending s.  
90 718.112, F.S.; requiring the boards of certain  
91 associations to meet at least once every quarter;  
92 requiring the meeting agenda to include an opportunity  
93 for members to ask questions of the board a certain  
94 number of times a year; providing that the right to  
95 attend meetings includes the right to ask questions  
96 relating to certain topics; revising requirements  
97 regarding notice of such meetings; requiring a  
98 director to complete an educational requirement within  
99 a specified time period before or after election or  
100 appointment to the board; providing requirements for

101 the educational curriculum; providing transitional  
 102 provisions; requiring a director to complete a certain  
 103 amount of continuing education each year relating to  
 104 changes in the law; requiring the secretary of the  
 105 association to maintain certain information for  
 106 inspection for a specified number of years;  
 107 authorizing members of an association to pause the  
 108 contribution to reserves or reduce reserves under  
 109 certain circumstances and for a limited time;  
 110 authorizing the board to expend reserve account funds  
 111 to make the condominium building and structures  
 112 habitable; requiring an association to distribute or  
 113 deliver copies of a structural integrity reserve study  
 114 to unit owners within a specified timeframe;  
 115 specifying the manner of distribution or delivery;  
 116 requiring an association to provide a specified  
 117 statement to the division within a specified  
 118 timeframe; revising the circumstances under which a  
 119 director or an officer must be removed from office  
 120 after being charged by information or indictment of  
 121 certain crimes; prohibiting such officers and  
 122 directors with pending criminal charges from accessing  
 123 the official records of any association; providing an  
 124 exception; providing criminal penalties for certain  
 125 fraudulent voting activities relating to association

126 elections; amending s. 718.113, F.S.; providing  
127 applicability; specifying that certain actions are not  
128 material alterations or substantial additions;  
129 authorizing the boards of residential and mixed-use  
130 condominiums to install or require unit owners to  
131 install hurricane protection; requiring a vote of the  
132 unit owners for the installation of hurricane  
133 protection; requiring that such vote be attested to in  
134 a certificate and recorded in certain public records;  
135 requiring the board to provide, in various manners, to  
136 the unit owners a copy of the recorded certificate;  
137 providing that the validity or enforceability of a  
138 vote is not affected if the board fails to take  
139 certain actions; providing that a vote of the unit  
140 owners is not required under certain circumstances;  
141 prohibiting installation of the same type of hurricane  
142 protection previously installed; providing exceptions;  
143 prohibiting the boards of residential and mixed-use  
144 condominiums from refusing to approve certain  
145 hurricane protections; authorizing the board to  
146 require owners to adhere to certain guidelines  
147 regarding the external appearance of a condominium;  
148 revising responsibility for the cost of the removal or  
149 reinstallation of hurricane protection, including  
150 exterior windows, doors, or apertures; prohibiting the

151 association from charging certain expenses to unit  
152 owners; requiring reimbursement or a credit toward  
153 future assessments to the unit owner in certain  
154 circumstances; authorizing the association to collect  
155 certain charges and specifying that such charges are  
156 enforceable as assessments under certain  
157 circumstances; amending s. 718.115, F.S.; specifying  
158 when the cost of installation of hurricane protection  
159 is not a common expense; authorizing certain expenses  
160 to be enforceable as assessments; requiring certain  
161 unit owners to be excused from certain assessments or  
162 to receive a credit for hurricane protection that has  
163 been installed; providing credit applicability under  
164 certain circumstances; providing for the amount of  
165 credit that a unit owner must receive; specifying that  
166 certain expenses are common expenses; amending s.  
167 718.121, F.S.; conforming a cross-reference; amending  
168 s. 718.124, F.S.; providing the statute of limitations  
169 and repose for certain actions; amending s. 718.1224,  
170 F.S.; revising legislative findings and intent;  
171 revising the definition of the term "governmental  
172 entity"; prohibiting an association from filing  
173 strategic lawsuits, taking certain actions against  
174 unit owners, and expending funds to support certain  
175 actions; amending s. 718.128, F.S.; providing that a

176 unit owner may consent to electronic voting  
177 electronically; providing that a board must honor a  
178 unit owner's request to vote electronically until the  
179 owner opts out; amending s. 718.202, F.S.; providing  
180 sales and reservation deposit requirements for  
181 nonresidential condominiums; amending s. 718.301,  
182 F.S.; requiring developers to deliver a structural  
183 integrity reserve report to an association upon  
184 relinquishing control of the association; amending s.  
185 718.3027, F.S.; revising requirements regarding  
186 attendance at a board meeting in the event of a  
187 conflict of interest; modifying circumstances under  
188 which a contract may be voided; revising a cross-  
189 reference; amending s. 718.303, F.S.; requiring an  
190 association to provide certain notice to a unit owner  
191 by a specified time before an election; creating s.  
192 718.407, F.S.; authorizing a condominium to be created  
193 within a portion of a building or within a multiple  
194 parcel building; specifying that the common elements  
195 are only those portions of the building submitted to  
196 the condominium form of ownership; providing  
197 requirements for the declaration of such condominiums  
198 and other certain recorded instruments; providing for  
199 the apportionment of expenses for such condominiums;  
200 authorizing the association to inspect and copy



201 certain books and records; requiring a specified  
202 disclosure summary for contracts of sale for a unit in  
203 certain condominiums; providing that the creation of a  
204 multiple parcel building is not a subdivision of the  
205 land; amending s. 718.501, F.S.; revising  
206 circumstances under which the division has  
207 jurisdiction to investigate and enforce complaints  
208 relating to certain matters; requiring that the  
209 division provide official records, without charge, to  
210 a unit owner denied access; authorizing the division  
211 to issue certain citations; requiring the division to  
212 provide a division-approved training provider with the  
213 template for the certificate issued to certain  
214 directors of a board of administration; requiring that  
215 the division refer suspected criminal acts to the  
216 appropriate law enforcement authority; authorizing  
217 certain division officials to attend association  
218 meetings; authorizing the division to request access  
219 to an association's website or application to  
220 investigate complaints under certain circumstances;  
221 requiring the division to include certain information  
222 in its annual report to the Governor and Legislature  
223 after a specified date; specifying requirements for  
224 the annual certification; authorizing the division to  
225 adopt rules; providing applicability; amending s.

226 718.5011, F.S.; providing that the secretary of the  
227 Department of Business and Professional Regulation,  
228 rather than the Governor, appoints the condominium  
229 ombudsman; amending s. 718.503, F.S.; requiring  
230 nondeveloper unit owners to include an annual  
231 financial statement and annual budget in information  
232 provided to a prospective purchaser; revising  
233 information that must be included in contracts for the  
234 resale of a residential unit; requiring certain  
235 disclosures be made if a unit is located in a  
236 specified type of condominium; amending s. 718.504,  
237 F.S.; requiring certain information provided to  
238 prospective purchasers to state whether the  
239 condominium is created within a portion of a building  
240 or within a multiple parcel building; amending s.  
241 719.106, F.S.; requiring an association to distribute  
242 or deliver copies of a structural integrity reserve  
243 study to unit owners within a specified timeframe;  
244 specifying the manner of distribution or delivery;  
245 requiring an association to provide a specified  
246 statement to the division within a specified  
247 timeframe; amending s. 719.129, F.S.; providing that a  
248 unit owner may consent electronically to electronic  
249 voting; amending s. 719.301, F.S.; requiring  
250 developers to deliver a structural integrity reserve

251 study to a cooperative association upon relinquishing  
 252 control of association property; requiring the  
 253 division to conduct a review of statutory requirements  
 254 regarding posting of official records on a condominium  
 255 association's website or application; requiring the  
 256 division to submit its findings, including any  
 257 recommendations, to the Governor and the Legislature  
 258 by a specified date; requiring the division to create  
 259 a database on its website with certain information by  
 260 a date certain; providing appropriations; providing  
 261 construction and retroactive application; requiring  
 262 the Florida Building Commission to perform a study for  
 263 specified purposes; requiring the commission to submit  
 264 a report of its recommendations to the Governor and  
 265 Legislature by a date certain; providing effective  
 266 dates.

267  
 268 Be It Enacted by the Legislature of the State of Florida:

269  
 270 Section 1. Subsection (3) is added to section 468.4334,  
 271 Florida Statutes, to read:

272 468.4334 Professional practice standards; liability.—

273 (3) A community association manager or a community  
 274 association management firm shall return all community  
 275 association official records within its possession to the

276 community association within 20 business days after termination  
277 of a contractual agreement to provide community association  
278 management services to the community association or receipt of a  
279 written request for return of the official records, whichever  
280 occurs first. A notice of termination of a contractual agreement  
281 to provide community association management services must be  
282 sent by certified mail, return receipt requested, or in the  
283 manner required under such contractual agreement. The community  
284 association manager or community association management firm may  
285 retain, for up to 20 business days, those records necessary to  
286 complete an ending financial statement or report. If an  
287 association fails to provide access to or retention of the  
288 accounting records to prepare an ending financial statement or  
289 report, the community association manager or community  
290 association management firm is relieved from any further  
291 responsibility or liability relating to the preparation of such  
292 ending financial statement or report. Failure of a community  
293 association manager or a community association management firm  
294 to timely return all of the official records within its  
295 possession to the community association creates a rebuttable  
296 presumption that the community association manager or community  
297 association management firm willfully failed to comply with this  
298 subsection. A community association manager or a community  
299 association management firm that fails to timely return  
300 community association records is subject to suspension of its

301 license under s. 468.436, and a civil penalty of \$1,000 per day  
302 for up to 10 business days, assessed beginning on the 21st  
303 business day after termination of a contractual agreement to  
304 provide community association management services to the  
305 community association or receipt of a written request from the  
306 association for return of the records, whichever occurs first.  
307 However, for a timeshare plan created under chapter 721, the  
308 time periods provided in s. 721.14(4)(b) apply.

309 Section 2. Section 468.4335, Florida Statutes, is created  
310 to read:

311 468.4335 Conflicts of interest.-

312 (1) A community association manager or a community  
313 association management firm, including directors, officers, and  
314 persons with a financial interest in a community association  
315 management firm, or a relative of such persons, must disclose to  
316 the board of a community association any activity that may  
317 reasonably be construed to be a conflict of interest. A  
318 rebuttable presumption of a conflict of interest exists if any  
319 of the following occurs without prior notice:

320 (a) A community association manager or a community  
321 association management firm, including directors, officers, and  
322 persons with a financial interest in a community association  
323 management firm, or a relative of such persons, enters into a  
324 contract for goods or services with the association.

325 (b) A community association manager or a community

326 association management firm, including directors, officers, and  
327 persons with a financial interest in a community association  
328 management firm, or a relative of such persons, holds an  
329 interest in or receives compensation or any thing of value from  
330 a corporation, limited liability corporation, partnership,  
331 limited liability partnership, or other business entity that  
332 conducts business with the association or proposes to enter into  
333 a contract or other transaction with the association.

334 (2) If the association receives and considers a bid that  
335 exceeds \$2,500 to provide a good or service, other than  
336 community association management services, from a community  
337 association manager or a community association management firm,  
338 including directors, officers, and persons with a financial  
339 interest in a community association management firm, or a  
340 relative of such persons, the association must solicit multiple  
341 bids from other third-party providers of such goods or services.

342 (3) If a community association manager or a community  
343 association management firm, including directors, officers, and  
344 persons with a financial interest in a community association  
345 management firm, or a relative of such persons, proposes to  
346 engage in an activity that is a conflict of interest as  
347 described in subsection (1), the proposed activity must be  
348 listed on, and all contracts and transactional documents related  
349 to the proposed activity must be attached to, the meeting agenda  
350 of the next board of administration meeting. The disclosures of

351 a possible conflict of interest must be entered into the written  
352 minutes of the meeting. Approval of the contract, including a  
353 management contract between the community association and the  
354 community association manager or community association  
355 management firm, or other transaction requires an affirmative  
356 vote of two-thirds of all directors present. At the next regular  
357 or special meeting of the members, the existence of the conflict  
358 of interest and the contract or other transaction must be  
359 disclosed to the members. If a community association manager or  
360 community association management firm has previously disclosed a  
361 conflict of interest in an existing management contract entered  
362 into between the board of directors and the community  
363 association manager or community association management firm,  
364 the conflict of interest does not need to be additionally  
365 noticed and voted on during the term of such management  
366 contract, but, upon renewal, must be noticed and voted on in  
367 accordance with this subsection.

368 (4) If the board finds that a community association  
369 manager or a community association management firm, including  
370 directors, officers, and persons with a financial interest in a  
371 community association management firm, or a relative of such  
372 persons, has violated this section, the association may cancel  
373 its community association management contract with the community  
374 association manager or the community association management  
375 firm. If the contract is canceled, the association is liable

376 only for the reasonable value of the management services  
377 provided up to the time of cancellation and is not liable for  
378 any termination fees, liquidated damages, or other form of  
379 penalty for such cancellation.

380 (5) If an association enters into a contract with a  
381 community association manager or a community association  
382 management firm, including directors, officers, and persons with  
383 a financial interest in a community association management firm,  
384 or a relative of such persons, which is a party to or has an  
385 interest in an activity that is a possible conflict of interest  
386 as described in subsection (1) and such activity has not been  
387 properly disclosed as a conflict of interest or potential  
388 conflict of interest as required by this section, the contract  
389 is voidable and terminates upon the association filing a written  
390 notice terminating the contract with its board of directors  
391 which contains the consent of at least 20 percent of the voting  
392 interests of the association.

393 (6) As used in this section, the term "relative" means a  
394 relative within the third degree of consanguinity by blood or  
395 marriage.

396 Section 3. Paragraph (b) of subsection (2) of section  
397 468.436, Florida Statutes, is amended, and subsection (4) of  
398 that section is reenacted, to read:

399 468.436 Disciplinary proceedings.—

400 (2) The following acts constitute grounds for which the



401 disciplinary actions in subsection (4) may be taken:

402 (b)1. Violation of ~~any provision of~~ this part.

403 2. Violation of any lawful order or rule rendered or

404 adopted by the department or the council.

405 3. Being convicted of or pleading nolo contendere to a

406 felony in any court in the United States.

407 4. Obtaining a license or certification or any other

408 order, ruling, or authorization by means of fraud,

409 misrepresentation, or concealment of material facts.

410 5. Committing acts of gross misconduct or gross negligence

411 in connection with the profession.

412 6. Contracting, on behalf of an association, with any

413 entity in which the licensee has a financial interest that is

414 not disclosed.

415 7. Failing to disclose any conflict of interest as

416 required by s. 468.4335.

417 ~~8.7.~~ Violating ~~any provision of~~ chapter 718, chapter 719,

418 or chapter 720 during the course of performing community

419 association management services pursuant to a contract with a

420 community association as defined in s. 468.431(1).

421 (4) When the department finds any community association

422 manager or firm guilty of any of the grounds set forth in

423 subsection (2), it may enter an order imposing one or more of

424 the following penalties:

425 (a) Denial of an application for licensure.

426 (b) Revocation or suspension of a license.

427 (c) Imposition of an administrative fine not to exceed  
428 \$5,000 for each count or separate offense.

429 (d) Issuance of a reprimand.

430 (e) Placement of the community association manager on  
431 probation for a period of time and subject to such conditions as  
432 the department specifies.

433 (f) Restriction of the authorized scope of practice by the  
434 community association manager.

435 Section 4. Subsection (4) of section 553.899, Florida  
436 Statutes, is amended to read:

437 553.899 Mandatory structural inspections for condominium  
438 and cooperative buildings.—

439 (4) The milestone inspection report must be arranged by a  
440 condominium or cooperative association and any owner of any  
441 portion of the building which is not subject to the condominium  
442 or cooperative form of ownership. The condominium association or  
443 cooperative association and any owner of any portion of the  
444 building which is not subject to the condominium or cooperative  
445 form of ownership are each responsible for ensuring compliance  
446 with the requirements of this section. The condominium  
447 association or cooperative association is responsible for all  
448 costs associated with the milestone inspection attributable to  
449 the portions of a building which the association is responsible  
450 to maintain under the governing documents of the association.

451 This section does not apply to a single-family, two-family, ~~or~~  
 452 three-family, or four-family dwelling with three or fewer  
 453 habitable stories above ground.

454 Section 5. Subsections (19) through (32) of section  
 455 718.103, Florida Statutes, are renumbered as subsections (21)  
 456 through (34), respectively, subsection (14) is amended, and new  
 457 subsections (19) and (20) are added to that section, to read:

458 718.103 Definitions.—As used in this chapter, the term:

459 (14) "Condominium property" means the lands, leaseholds,  
 460 and improvements, any and personal property, and all easements  
 461 and rights appurtenant thereto, regardless of whether  
 462 contiguous, which that are subjected to condominium ownership,  
 463 ~~whether or not contiguous, and all improvements thereon and all~~  
 464 ~~easements and rights appurtenant thereto intended for use in~~  
 465 ~~connection with the condominium.~~

466 (19) "Hurricane protection" means hurricane shutters,  
 467 impact glass, code-compliant windows or doors, and other code-  
 468 compliant hurricane protection products used to preserve and  
 469 protect the condominium property or association property.

470 (20) "Kickback" means any thing or service of value, for  
 471 which consideration has not been provided, for an officer's, a  
 472 director's, or a manager's own benefit or that of his or her  
 473 immediate family, from any person providing or proposing to  
 474 provide goods or services to the association.

475 Section 6. Paragraph (b) of subsection (4) of section

476 718.104, Florida Statutes, is amended, and paragraph (p) is  
 477 added to that subsection, to read:

478 718.104 Creation of condominiums; contents of  
 479 declaration.—Every condominium created in this state shall be  
 480 created pursuant to this chapter.

481 (4) The declaration must contain or provide for the  
 482 following matters:

483 (b) The name by which the condominium property is to be  
 484 identified, which shall include the word "condominium" or be  
 485 followed by the words "a condominium." Condominiums created  
 486 within a portion of a building or within a multiple parcel  
 487 building must include the name by which the condominium is to be  
 488 identified and be followed by "a condominium within a portion of  
 489 a building or within a multiple parcel building."

490 (p) For both residential condominiums and mixed-use  
 491 condominiums, a statement that specifies whether the unit owner  
 492 or the association is responsible for the installation,  
 493 maintenance, repair, or replacement of hurricane protection that  
 494 is for the preservation and protection of the condominium  
 495 property and association property.

496 Section 7. Paragraph (a) of subsection (1), paragraph (h)  
 497 of subsection (11), and subsections (12), (13), and (15) of  
 498 section 718.111, Florida Statutes, are amended to read:

499 718.111 The association.—

500 (1) CORPORATE ENTITY.—

501 (a) The operation of the condominium shall be by the  
502 association, which must be a Florida corporation for profit or a  
503 Florida corporation not for profit. However, any association  
504 which was in existence on January 1, 1977, need not be  
505 incorporated. The owners of units shall be shareholders or  
506 members of the association. The officers and directors of the  
507 association have a fiduciary relationship to the unit owners. It  
508 is the intent of the Legislature that nothing in this paragraph  
509 shall be construed as providing for or removing a requirement of  
510 a fiduciary relationship between any manager employed by the  
511 association and the unit owners. An officer, a director, or a  
512 manager may not solicit, offer to accept, or accept a ~~any thing~~  
513 ~~or service of value or kickback for which consideration has not~~  
514 ~~been provided for his or her own benefit or that of his or her~~  
515 ~~immediate family, from any person providing or proposing to~~  
516 ~~provide goods or services to the association.~~ Any such officer,  
517 director, or manager who knowingly so solicits, offers to  
518 accept, or accepts a ~~any thing or service of value or kickback~~  
519 commits a felony of the third degree, punishable as provided in  
520 s. 775.082, s. 775.083, or s. 775.084, is subject to a civil  
521 penalty pursuant to s. 718.501(1)(e), and must be removed from  
522 office and a vacancy declared ~~s. 718.501(1)(d) and, if~~  
523 ~~applicable, a criminal penalty as provided in paragraph (d).~~  
524 However, this paragraph does not prohibit an officer, a  
525 director, or a manager from accepting services or items received

526 | in connection with trade fairs or education programs. An  
527 | association may operate more than one condominium.

528 |       (11) INSURANCE.—In order to protect the safety, health,  
529 | and welfare of the people of the State of Florida and to ensure  
530 | consistency in the provision of insurance coverage to  
531 | condominiums and their unit owners, this subsection applies to  
532 | every residential condominium in the state, regardless of the  
533 | date of its declaration of condominium. It is the intent of the  
534 | Legislature to encourage lower or stable insurance premiums for  
535 | associations described in this subsection.

536 |       (h) The association shall maintain insurance or fidelity  
537 | bonding of all persons who control or disburse funds of the  
538 | association. The insurance policy or fidelity bond must cover  
539 | the maximum funds that will be in the custody of the association  
540 | or its management agent at any one time. Upon receipt of a  
541 | complaint, the division shall monitor an association for  
542 | compliance with this paragraph and may issue fines and penalties  
543 | established by the division for failure of an association to  
544 | maintain the required insurance policy or fidelity bond. As used  
545 | in this paragraph, the term "persons who control or disburse  
546 | funds of the association" includes, but is not limited to, those  
547 | individuals authorized to sign checks on behalf of the  
548 | association, and the president, secretary, and treasurer of the  
549 | association. The association shall bear the cost of any such  
550 | bonding.

551 (12) OFFICIAL RECORDS.—

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

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

557 2. A photocopy of the recorded declaration of condominium  
 558 of each condominium operated by the association and each  
 559 amendment to each declaration.

560 3. A photocopy of the recorded bylaws of the association  
 561 and each amendment to the bylaws.

562 4. A certified copy of the articles of incorporation of  
 563 the association, or other documents creating the association,  
 564 and each amendment thereto.

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

566 6. A book or books that contain the minutes of all  
 567 meetings of the association, the board of administration, and  
 568 the unit owners.

569 7. A current roster of all unit owners and their mailing  
 570 addresses, unit identifications, voting certifications, and, if  
 571 known, telephone numbers. The association shall also maintain  
 572 the e-mail addresses and facsimile numbers of unit owners  
 573 consenting to receive notice by electronic transmission. ~~The e-~~  
 574 ~~mail addresses and facsimile numbers are not accessible to unit~~  
 575 ~~owners if consent to receive notice by electronic transmission~~

576 ~~is not provided~~ In accordance with sub-subparagraph (c)5.e., the  
577 e-mail addresses and facsimile numbers are only accessible to  
578 unit owners if consent to receive notice by electronic  
579 transmission is provided, or if the unit owner has expressly  
580 indicated that such personal information can be shared with  
581 other unit owners and the unit owner has not provided the  
582 association with a request to opt out of such dissemination with  
583 other unit owners. An association must ensure that the e-mail  
584 addresses and facsimile numbers are only used for the business  
585 operation of the association and may not be sold or shared with  
586 outside third parties. If such personal information is included  
587 in documents that are released to third parties, other than unit  
588 owners, the association must redact such personal information  
589 before the document is disseminated ~~(e)3.e.~~ However, the  
590 association is not liable for an inadvertent disclosure of the  
591 e-mail address or facsimile number for receiving electronic  
592 transmission of notices unless such disclosure was made with a  
593 knowing or intentional disregard of the protected nature of such  
594 information.

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

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



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

603 11. Accounting records for the association and separate  
604 accounting records for each condominium that the association  
605 operates. Any person who knowingly or intentionally defaces or  
606 destroys such records, or who knowingly or intentionally fails  
607 to create or maintain such records, with the intent of causing  
608 harm to the association or one or more of its members, is  
609 personally subject to a civil penalty pursuant to s.  
610 718.501(1)(e) ~~s. 718.501(1)(d)~~. The accounting records must  
611 include, but are not limited to:

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

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

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

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

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

630 12. Ballots, sign-in sheets, voting proxies, and all other  
 631 papers and electronic records relating to voting by unit owners,  
 632 which must be maintained for 1 year from the date of the  
 633 election, vote, or meeting to which the document relates,  
 634 notwithstanding paragraph (b).

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

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

639 15. A copy of the inspection reports described in ss.  
 640 553.899 and 718.301(4) (p) and any other inspection report  
 641 relating to a structural or life safety inspection of  
 642 condominium property. Such record must be maintained by the  
 643 association for 15 years after receipt of the report.

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

645 17. All affirmative acknowledgments made pursuant to s.  
 646 718.121(4) (c).

647 18. A copy of all building permits.

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

650 20.18. All other written records of the association not

651 specifically included in the foregoing which are related to the  
652 operation of the association.

653 (b) The official records specified in subparagraphs (a)1.-  
654 6. must be permanently maintained from the inception of the  
655 association. Bids for work to be performed or for materials,  
656 equipment, or services must be maintained for at least 1 year  
657 after receipt of the bid. All other official records must be  
658 maintained within the state for at least 7 years, unless  
659 otherwise provided by general law. The official records must be  
660 maintained in an organized manner that facilitates inspection of  
661 the records by a unit owner. In the event that the official  
662 records are lost, destroyed, or otherwise unavailable, the  
663 obligation to maintain the official records includes a good  
664 faith obligation to obtain and recover those records as is  
665 reasonably possible. The records of the association shall be  
666 made available to a unit owner within 45 miles of the  
667 condominium property or within the county in which the  
668 condominium property is located within 10 working days after  
669 receipt of a written request by the board or its designee.  
670 However, such distance requirement does not apply to an  
671 association governing a timeshare condominium. This paragraph  
672 and paragraph (c) may be complied with by having a copy of the  
673 official records of the association available for inspection or  
674 copying on the condominium property or association property, or  
675 the association may offer the option of making the records

676 available to a unit owner electronically via the Internet as  
677 provided under paragraph (g) or by allowing the records to be  
678 viewed in electronic format on a computer screen and printed  
679 upon request. The association is not responsible for the use or  
680 misuse of the information provided to an association member or  
681 his or her authorized representative in compliance with this  
682 chapter unless the association has an affirmative duty not to  
683 disclose such information under this chapter.

684 (c)1.a.~~(e)1.~~ The official records of the association are  
685 open to inspection by any association member and any person  
686 authorized by an association member as a representative of such  
687 member at all reasonable times. The right to inspect the records  
688 includes the right to make or obtain copies, at the reasonable  
689 expense, if any, of the member and of the person authorized by  
690 the association member as a representative of such member. A  
691 renter of a unit has a right to inspect and copy only the  
692 declaration of condominium, the association's bylaws and rules,  
693 and the inspection reports described in ss. 553.899 and  
694 718.301(4)(p). The association may adopt reasonable rules  
695 regarding the frequency, time, location, notice, and manner of  
696 record inspections and copying but may not require a member to  
697 demonstrate any purpose or state any reason for the inspection.  
698 The failure of an association to provide the records within 10  
699 working days after receipt of a written request creates a  
700 rebuttable presumption that the association willfully failed to

701 comply with this paragraph. A unit owner who is denied access to  
702 official records is entitled to the actual damages or minimum  
703 damages for the association's willful failure to comply. Minimum  
704 damages are \$50 per calendar day for up to 10 days, beginning on  
705 the 11th working day after receipt of the written request. The  
706 failure to permit inspection entitles any person prevailing in  
707 an enforcement action to recover reasonable attorney fees from  
708 the person in control of the records who, directly or  
709 indirectly, knowingly denied access to the records. If the  
710 requested records are posted on an association's website, or are  
711 available for download through an application on a mobile  
712 device, the association may fulfill its obligations under this  
713 paragraph by directing to the website or the application all  
714 persons authorized to request access.

715 b. In response to a written request to inspect records,  
716 the association must simultaneously provide to the requestor a  
717 checklist of all records made available for inspection and  
718 copying. The checklist must also identify any of the  
719 association's official records that were not made available to  
720 the requestor. An association must maintain a checklist provided  
721 under this sub-subparagraph for 7 years. An association  
722 delivering a checklist pursuant to this sub-subparagraph creates  
723 a rebuttable presumption that the association has complied with  
724 this paragraph.

725 2. A director or member of the board or association or a

726 community association manager who knowingly, willfully, and  
727 repeatedly violates subparagraph 1. commits a misdemeanor of the  
728 second degree, punishable as provided in s. 775.082 or s.  
729 775.083, and must be removed from office and a vacancy declared.  
730 For purposes of this subparagraph, the term "repeatedly" means  
731 two or more violations within a 12-month period.

732 ~~3.2.~~ Any person who knowingly or intentionally defaces or  
733 destroys accounting records that are required by this chapter to  
734 be maintained during the period for which such records are  
735 required to be maintained, or who knowingly or intentionally  
736 fails to create or maintain accounting records that are required  
737 to be created or maintained, with the intent of causing harm to  
738 the association or one or more of its members, commits a  
739 misdemeanor of the first degree, punishable as provided in s.  
740 775.082 or s. 775.083, is personally subject to a civil penalty  
741 pursuant to s. 718.501(1)(d), and must be removed from office  
742 and a vacancy declared.

743 4. A person who willfully and knowingly refuses to release  
744 or otherwise produce association records with the intent to  
745 avoid or escape detection, arrest, trial, or punishment for the  
746 commission of a crime, or to assist another person with such  
747 avoidance or escape, commits a felony of the third degree,  
748 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
749 and must be removed from office and a vacancy declared.

750 ~~5.3.~~ The association shall maintain an adequate number of

751 | copies of the declaration, articles of incorporation, bylaws,  
752 | and rules, and all amendments to each of the foregoing, as well  
753 | as the question and answer sheet as described in s. 718.504 and  
754 | year-end financial information required under this section, on  
755 | the condominium property to ensure their availability to unit  
756 | owners and prospective purchasers, and may charge its actual  
757 | costs for preparing and furnishing these documents to those  
758 | requesting the documents. An association shall allow a member or  
759 | his or her authorized representative to use a portable device,  
760 | including a smartphone, tablet, portable scanner, or any other  
761 | technology capable of scanning or taking photographs, to make an  
762 | electronic copy of the official records in lieu of the  
763 | association's providing the member or his or her authorized  
764 | representative with a copy of such records. The association may  
765 | not charge a member or his or her authorized representative for  
766 | the use of a portable device. Notwithstanding this paragraph,  
767 | the following records are not accessible to unit owners:  
768 |       a. Any record protected by the lawyer-client privilege as  
769 | described in s. 90.502 and any record protected by the work-  
770 | product privilege, including a record prepared by an association  
771 | attorney or prepared at the attorney's express direction, which  
772 | reflects a mental impression, conclusion, litigation strategy,  
773 | or legal theory of the attorney or the association, and which  
774 | was prepared exclusively for civil or criminal litigation or for  
775 | adversarial administrative proceedings, or which was prepared in

776 anticipation of such litigation or proceedings until the  
777 conclusion of the litigation or proceedings.

778       b. Information obtained by an association in connection  
779 with the approval of the lease, sale, or other transfer of a  
780 unit.

781       c. Personnel records of association or management company  
782 employees, including, but not limited to, disciplinary, payroll,  
783 health, and insurance records. For purposes of this sub-  
784 subparagraph, the term "personnel records" does not include  
785 written employment agreements with an association employee or  
786 management company, or budgetary or financial records that  
787 indicate the compensation paid to an association employee.

788       d. Medical records of unit owners.

789       e. Social security numbers, driver license numbers, credit  
790 card numbers, e-mail addresses, telephone numbers, facsimile  
791 numbers, emergency contact information, addresses of a unit  
792 owner other than as provided to fulfill the association's notice  
793 requirements, and other personal identifying information of any  
794 person, excluding the person's name, unit designation, mailing  
795 address, property address, and any address, e-mail address, or  
796 facsimile number provided to the association to fulfill the  
797 association's notice requirements. Notwithstanding the  
798 restrictions in this sub-subparagraph, an association may print  
799 and distribute to unit owners a directory containing the name,  
800 unit address, and all telephone numbers of each unit owner.



801 However, an owner may exclude his or her telephone numbers from  
802 the directory by so requesting in writing to the association. An  
803 owner may consent in writing to the disclosure of other contact  
804 information described in this sub-subparagraph. The association  
805 is not liable for the inadvertent disclosure of information that  
806 is protected under this sub-subparagraph if the information is  
807 included in an official record of the association and is  
808 voluntarily provided by an owner and not requested by the  
809 association.

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

812 g. The software and operating system used by the  
813 association which allow the manipulation of data, even if the  
814 owner owns a copy of the same software used by the association.  
815 The data is part of the official records of the association.

816 h. All affirmative acknowledgments made pursuant to s.  
817 718.121(4)(c).

818 (d) The association shall prepare a question and answer  
819 sheet as described in s. 718.504, and shall update it annually.

820 (e)1. The association or its authorized agent is not  
821 required to provide a prospective purchaser or lienholder with  
822 information about the condominium or the association other than  
823 information or documents required by this chapter to be made  
824 available or disclosed. The association or its authorized agent  
825 may charge a reasonable fee to the prospective purchaser,

826 | lienholder, or the current unit owner for providing good faith  
827 | responses to requests for information by or on behalf of a  
828 | prospective purchaser or lienholder, other than that required by  
829 | law, if the fee does not exceed \$150 plus the reasonable cost of  
830 | photocopying and any attorney's fees incurred by the association  
831 | in connection with the response.

832 |         2. An association and its authorized agent are not liable  
833 | for providing such information in good faith pursuant to a  
834 | written request if the person providing the information includes  
835 | a written statement in substantially the following form: "The  
836 | responses herein are made in good faith and to the best of my  
837 | ability as to their accuracy."

838 |         (f) An outgoing board or committee member must relinquish  
839 | all official records and property of the association in his or  
840 | her possession or under his or her control to the incoming board  
841 | within 5 days after the election. The division shall impose a  
842 | civil penalty as set forth in s. 718.501(1)(d)6. against an  
843 | outgoing board or committee member who willfully and knowingly  
844 | fails to relinquish such records and property.

845 |         (g)1. By January 1, 2019, an association managing a  
846 | condominium with 150 or more units which does not contain  
847 | timeshare units shall post digital copies of the documents  
848 | specified in subparagraph 2. on its website or make such  
849 | documents available through an application that can be  
850 | downloaded on a mobile device.

851           a. The association's website or application must be:  
 852           (I) An independent website, application, or web portal  
 853 wholly owned and operated by the association; or  
 854           (II) A website, application, or web portal operated by a  
 855 third-party provider with whom the association owns, leases,  
 856 rents, or otherwise obtains the right to operate a web page,  
 857 subpage, web portal, collection of subpages or web portals, or  
 858 an application which is dedicated to the association's  
 859 activities and on which required notices, records, and documents  
 860 may be posted or made available by the association.

861           b. The association's website or application must be  
 862 accessible through the Internet and must contain a subpage, web  
 863 portal, or other protected electronic location that is  
 864 inaccessible to the general public and accessible only to unit  
 865 owners and employees of the association.

866           c. Upon a unit owner's written request, the association  
 867 must provide the unit owner with a username and password and  
 868 access to the protected sections of the association's website or  
 869 application which contain any notices, records, or documents  
 870 that must be electronically provided.

871           2. A current copy of the following documents must be  
 872 posted in digital format on the association's website or  
 873 application:

874           a. The recorded declaration of condominium of each  
 875 condominium operated by the association and each amendment to

876 each declaration.

877       b. The recorded bylaws of the association and each  
878 amendment to the bylaws.

879       c. The articles of incorporation of the association, or  
880 other documents creating the association, and each amendment to  
881 the articles of incorporation or other documents. The copy  
882 posted pursuant to this sub-subparagraph must be a copy of the  
883 articles of incorporation filed with the Department of State.

884       d. The rules of the association.

885       e. A list of all executory contracts or documents to which  
886 the association is a party or under which the association or the  
887 unit owners have an obligation or responsibility and, after  
888 bidding for the related materials, equipment, or services has  
889 closed, a list of bids received by the association within the  
890 past year. Summaries of bids for materials, equipment, or  
891 services which exceed \$500 must be maintained on the website or  
892 application for 1 year. In lieu of summaries, complete copies of  
893 the bids may be posted.

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

896       g. The financial report required by subsection (13) and  
897 any monthly income or expense statement to be considered at a  
898 meeting.

899       h. The certification of each director required by s.  
900 718.112(2)(d)4.b.

901 i. All contracts or transactions between the association  
902 and any director, officer, corporation, firm, or association  
903 that is not an affiliated condominium association or any other  
904 entity in which an association director is also a director or  
905 officer and financially interested.

906 j. Any contract or document regarding a conflict of  
907 interest or possible conflict of interest as provided in ss.  
908 468.4335, 468.436(2)(b)6., and 718.3027(3).

909 k. The notice of any unit owner meeting and the agenda for  
910 the meeting, as required by s. 718.112(2)(d)3., no later than 14  
911 days before the meeting. The notice must be posted in plain view  
912 on the front page of the website or application, or on a  
913 separate subpage of the website or application labeled "Notices"  
914 which is conspicuously visible and linked from the front page.  
915 The association must also post on its website or application any  
916 document to be considered and voted on by the owners during the  
917 meeting or any document listed on the agenda at least 7 days  
918 before the meeting at which the document or the information  
919 within the document will be considered.

920 l. Notice of any board meeting, the agenda, and any other  
921 document required for the meeting as required by s.  
922 718.112(2)(c), which must be posted no later than the date  
923 required for notice under s. 718.112(2)(c).

924 m. The inspection reports described in ss. 553.899 and  
925 718.301(4)(p) and any other inspection report relating to a

926 structural or life safety inspection of condominium property.

927 n. The association's most recent structural integrity  
928 reserve study, if applicable.

929 o. Copies of all building permits issued for ongoing or  
930 planned construction.

931 3. The association shall ensure that the information and  
932 records described in paragraph (c), which are not allowed to be  
933 accessible to unit owners, are not posted on the association's  
934 website or application. If protected information or information  
935 restricted from being accessible to unit owners is included in  
936 documents that are required to be posted on the association's  
937 website or application, the association shall ensure the  
938 information is redacted before posting the documents.

939 Notwithstanding the foregoing, the association or its agent is  
940 not liable for disclosing information that is protected or  
941 restricted under this paragraph unless such disclosure was made  
942 with a knowing or intentional disregard of the protected or  
943 restricted nature of such information.

944 4. The failure of the association to post information  
945 required under subparagraph 2. is not in and of itself  
946 sufficient to invalidate any action or decision of the  
947 association's board or its committees.

948 (13) FINANCIAL REPORTING.—Within 90 days after the end of  
949 the fiscal year, or annually on a date provided in the bylaws,  
950 the association shall prepare and complete, or contract for the

951 preparation and completion of, a financial report for the  
952 preceding fiscal year. Within 21 days after the final financial  
953 report is completed by the association or received from the  
954 third party, but not later than 120 days after the end of the  
955 fiscal year or other date as provided in the bylaws, the  
956 association shall deliver ~~mail~~ to each unit owner by United  
957 States mail or personal delivery at the mailing address,  
958 property address, e-mail address, or facsimile number provided  
959 to fulfill the association's notice requirements ~~at the address~~  
960 ~~last furnished to the association by the unit owner, or hand~~  
961 ~~deliver to each unit owner,~~ a copy of the most recent financial  
962 report, and ~~or~~ a notice that a copy of the most recent financial  
963 report will be mailed or hand delivered to the unit owner,  
964 without charge, within 5 business days after receipt of a  
965 written request from the unit owner. The division shall adopt  
966 rules setting forth uniform accounting principles and standards  
967 to be used by all associations and addressing the financial  
968 reporting requirements for multicondominium associations. The  
969 rules must include, but not be limited to, standards for  
970 presenting a summary of association reserves, including a good  
971 faith estimate disclosing the annual amount of reserve funds  
972 that would be necessary for the association to fully fund  
973 reserves for each reserve item based on the straight-line  
974 accounting method. This disclosure is not applicable to reserves  
975 funded via the pooling method. In adopting such rules, the

976 | division shall consider the number of members and annual  
977 | revenues of an association. Financial reports shall be prepared  
978 | as follows:

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

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

987 |           2. An association with total annual revenues of at least  
988 | \$300,000, but less than \$500,000, shall prepare reviewed  
989 | financial statements.

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

992 |       (b)1. An association with total annual revenues of less  
993 | than \$150,000 shall prepare a report of cash receipts and  
994 | expenditures.

995 |           2. A report of cash receipts and disbursements must  
996 | disclose the amount of receipts by accounts and receipt  
997 | classifications and the amount of expenses by accounts and  
998 | expense classifications, including, but not limited to, the  
999 | following, as applicable: costs for security, professional and  
1000 | management fees and expenses, taxes, costs for recreation



1001 facilities, expenses for refuse collection and utility services,  
 1002 expenses for lawn care, costs for building maintenance and  
 1003 repair, insurance costs, administration and salary expenses, and  
 1004 reserves accumulated and expended for capital expenditures,  
 1005 deferred maintenance, and any other category for which the  
 1006 association maintains reserves.

1007 (c) An association may prepare, without a meeting of or  
 1008 approval by the unit owners:

1009 1. Compiled, reviewed, or audited financial statements, if  
 1010 the association is required to prepare a report of cash receipts  
 1011 and expenditures;

1012 2. Reviewed or audited financial statements, if the  
 1013 association is required to prepare compiled financial  
 1014 statements; or

1015 3. Audited financial statements if the association is  
 1016 required to prepare reviewed financial statements.

1017 (d) If approved by a majority of the voting interests  
 1018 present at a properly called meeting of the association, an  
 1019 association may prepare:

1020 1. A report of cash receipts and expenditures in lieu of a  
 1021 compiled, reviewed, or audited financial statement;

1022 2. A report of cash receipts and expenditures or a  
 1023 compiled financial statement in lieu of a reviewed or audited  
 1024 financial statement; or

1025 3. A report of cash receipts and expenditures, a compiled

1026 financial statement, or a reviewed financial statement in lieu  
1027 of an audited financial statement.

1028  
1029 Such meeting and approval must occur before the end of the  
1030 fiscal year and is effective only for the fiscal year in which  
1031 the vote is taken. An association may not prepare a financial  
1032 report pursuant to this paragraph for consecutive fiscal years,  
1033 ~~except that the approval may also be effective for the following~~  
1034 ~~fiscal year.~~ If the developer has not turned over control of the  
1035 association, all unit owners, including the developer, may vote  
1036 on issues related to the preparation of the association's  
1037 financial reports, from the date of incorporation of the  
1038 association through the end of the second fiscal year after the  
1039 fiscal year in which the certificate of a surveyor and mapper is  
1040 recorded pursuant to s. 718.104(4)(e) or an instrument that  
1041 transfers title to a unit in the condominium which is not  
1042 accompanied by a recorded assignment of developer rights in  
1043 favor of the grantee of such unit is recorded, whichever occurs  
1044 first. Thereafter, all unit owners except the developer may vote  
1045 on such issues until control is turned over to the association  
1046 by the developer. Any audit or review prepared under this  
1047 section shall be paid for by the developer if done before  
1048 turnover of control of the association.

1049 (e) A unit owner may provide written notice to the  
1050 division of the association's failure to mail or hand deliver

1051 him or her a copy of the most recent financial report within 5  
1052 business days after he or she submitted a written request to the  
1053 association for a copy of such report. If the division  
1054 determines that the association failed to mail or hand deliver a  
1055 copy of the most recent financial report to the unit owner, the  
1056 division shall provide written notice to the association that  
1057 the association must mail or hand deliver a copy of the most  
1058 recent financial report to the unit owner and the division  
1059 within 5 business days after it receives such notice from the  
1060 division. An association that fails to comply with the  
1061 division's request may not waive the financial reporting  
1062 requirement provided in paragraph (d) for the fiscal year in  
1063 which the unit owner's request was made and the following fiscal  
1064 year. A financial report received by the division pursuant to  
1065 this paragraph shall be maintained, and the division shall  
1066 provide a copy of such report to an association member upon his  
1067 or her request.

1068 (15) DEBIT CARDS.—

1069 (a) An association and its officers, directors, employees,  
1070 and agents may not use a debit card issued in the name of the  
1071 association, or billed directly to the association, for the  
1072 payment of any association expense.

1073 (b) A person who uses ~~Use of~~ a debit card issued in the  
1074 name of the association, or billed directly to the association,  
1075 for any expense that is not a lawful obligation of the

1076 association commits theft under s. 812.014 and must be removed  
1077 from office and a vacancy declared. For the purposes of this  
1078 paragraph, the term "lawful obligation of the association" means  
1079 an obligation that has been properly preapproved by the board  
1080 and is reflected in the meeting minutes or the written budget  
1081 ~~may be prosecuted as credit card fraud pursuant to s. 817.61.~~

1082 Section 8. Effective January 1, 2026, paragraph (g) of  
1083 subsection (12) of section 718.111, Florida Statutes, as amended  
1084 by this act, is amended to read:

1085 718.111 The association.—

1086 (12) OFFICIAL RECORDS.—

1087 (g)1. ~~By January 1, 2019,~~ An association managing a  
1088 condominium with 25 ~~150~~ or more units which does not contain  
1089 timeshare units shall post digital copies of the documents  
1090 specified in subparagraph 2. on its website or make such  
1091 documents available through an application that can be  
1092 downloaded on a mobile device.

1093 a. The association's website or application must be:

1094 (I) An independent website, application, or web portal  
1095 wholly owned and operated by the association; or

1096 (II) A website, application, or web portal operated by a  
1097 third-party provider with whom the association owns, leases,  
1098 rents, or otherwise obtains the right to operate a web page,  
1099 subpage, web portal, collection of subpages or web portals, or  
1100 an application which is dedicated to the association's

1101 activities and on which required notices, records, and documents  
 1102 may be posted or made available by the association.

1103         b. The association's website or application must be  
 1104 accessible through the Internet and must contain a subpage, web  
 1105 portal, or other protected electronic location that is  
 1106 inaccessible to the general public and accessible only to unit  
 1107 owners and employees of the association.

1108         c. Upon a unit owner's written request, the association  
 1109 must provide the unit owner with a username and password and  
 1110 access to the protected sections of the association's website or  
 1111 application which contain any notices, records, or documents  
 1112 that must be electronically provided.

1113         2. A current copy of the following documents must be  
 1114 posted in digital format on the association's website or  
 1115 application:

1116             a. The recorded declaration of condominium of each  
 1117 condominium operated by the association and each amendment to  
 1118 each declaration.

1119             b. The recorded bylaws of the association and each  
 1120 amendment to the bylaws.

1121             c. The articles of incorporation of the association, or  
 1122 other documents creating the association, and each amendment to  
 1123 the articles of incorporation or other documents. The copy  
 1124 posted pursuant to this sub-subparagraph must be a copy of the  
 1125 articles of incorporation filed with the Department of State.

- 1126           d. The rules of the association.
- 1127           e. A list of all executory contracts or documents to which  
1128 the association is a party or under which the association or the  
1129 unit owners have an obligation or responsibility and, after  
1130 bidding for the related materials, equipment, or services has  
1131 closed, a list of bids received by the association within the  
1132 past year. Summaries of bids for materials, equipment, or  
1133 services which exceed \$500 must be maintained on the website or  
1134 application for 1 year. In lieu of summaries, complete copies of  
1135 the bids may be posted.
- 1136           f. The annual budget required by s. 718.112(2)(f) and any  
1137 proposed budget to be considered at the annual meeting.
- 1138           g. The financial report required by subsection (13) and  
1139 any monthly income or expense statement to be considered at a  
1140 meeting.
- 1141           h. The certification of each director required by s.  
1142 718.112(2)(d)4.b.
- 1143           i. All contracts or transactions between the association  
1144 and any director, officer, corporation, firm, or association  
1145 that is not an affiliated condominium association or any other  
1146 entity in which an association director is also a director or  
1147 officer and financially interested.
- 1148           j. Any contract or document regarding a conflict of  
1149 interest or possible conflict of interest as provided in ss.  
1150 468.4335, 468.436(2)(b)6., and 718.3027(3).

1151 k. The notice of any unit owner meeting and the agenda for  
1152 the meeting, as required by s. 718.112(2)(d)3., no later than 14  
1153 days before the meeting. The notice must be posted in plain view  
1154 on the front page of the website or application, or on a  
1155 separate subpage of the website or application labeled "Notices"  
1156 which is conspicuously visible and linked from the front page.  
1157 The association must also post on its website or application any  
1158 document to be considered and voted on by the owners during the  
1159 meeting or any document listed on the agenda at least 7 days  
1160 before the meeting at which the document or the information  
1161 within the document will be considered.

1162 l. Notice of any board meeting, the agenda, and any other  
1163 document required for the meeting as required by s.  
1164 718.112(2)(c), which must be posted no later than the date  
1165 required for notice under s. 718.112(2)(c).

1166 m. The inspection reports described in ss. 553.899 and  
1167 718.301(4)(p) and any other inspection report relating to a  
1168 structural or life safety inspection of condominium property.

1169 n. The association's most recent structural integrity  
1170 reserve study, if applicable.

1171 o. Copies of all building permits issued for ongoing or  
1172 planned construction.

1173 3. The association shall ensure that the information and  
1174 records described in paragraph (c), which are not allowed to be  
1175 accessible to unit owners, are not posted on the association's

1176 website or application. If protected information or information  
1177 restricted from being accessible to unit owners is included in  
1178 documents that are required to be posted on the association's  
1179 website or application, the association shall ensure the  
1180 information is redacted before posting the documents.  
1181 Notwithstanding the foregoing, the association or its agent is  
1182 not liable for disclosing information that is protected or  
1183 restricted under this paragraph unless such disclosure was made  
1184 with a knowing or intentional disregard of the protected or  
1185 restricted nature of such information.

1186 4. The failure of the association to post information  
1187 required under subparagraph 2. is not in and of itself  
1188 sufficient to invalidate any action or decision of the  
1189 association's board or its committees.

1190 Section 9. Paragraphs (c), (d), (f), (g), and (q) of  
1191 subsection (2) of section 718.112, Florida Statutes, are  
1192 amended, and paragraph (r) is added to that subsection, to read:

1193 718.112 Bylaws.—

1194 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the  
1195 following and, if they do not do so, shall be deemed to include  
1196 the following:

1197 (c) Board of administration meetings.—In a residential  
1198 condominium association of more than 10 units, the board of  
1199 administration shall meet at least once each quarter. At least  
1200 four times each year, the meeting agenda must include an



1201 opportunity for members to ask questions of the board. Meetings  
1202 of the board of administration at which a quorum of the members  
1203 is present are open to all unit owners. Members of the board of  
1204 administration may use e-mail as a means of communication but  
1205 may not cast a vote on an association matter via e-mail. A unit  
1206 owner may tape record or videotape the meetings. The right to  
1207 attend such meetings includes the right to speak at such  
1208 meetings with reference to all designated agenda items and the  
1209 right to ask questions relating to reports on the status of  
1210 construction or repair projects, the status of revenues and  
1211 expenditures during the current fiscal year, and other issues  
1212 affecting the condominium. The division shall adopt reasonable  
1213 rules governing the tape recording and videotaping of the  
1214 meeting. The association may adopt written reasonable rules  
1215 governing the frequency, duration, and manner of unit owner  
1216 statements.

1217 1. Adequate notice of all board meetings, which must  
1218 specifically identify all agenda items, must be posted  
1219 conspicuously on the condominium property at least 48 continuous  
1220 hours before the meeting except in an emergency. If 20 percent  
1221 of the voting interests petition the board to address an item of  
1222 business, the board, within 60 days after receipt of the  
1223 petition, shall place the item on the agenda at its next regular  
1224 board meeting or at a special meeting called for that purpose.  
1225 An item not included on the notice may be taken up on an

1226 emergency basis by a vote of at least a majority plus one of the  
1227 board members. Such emergency action must be noticed and  
1228 ratified at the next regular board meeting. Written notice of a  
1229 meeting at which a nonemergency special assessment or an  
1230 amendment to rules regarding unit use will be considered must be  
1231 mailed, delivered, or electronically transmitted to the unit  
1232 owners and posted conspicuously on the condominium property at  
1233 least 14 days before the meeting. Evidence of compliance with  
1234 this 14-day notice requirement must be made by an affidavit  
1235 executed by the person providing the notice and filed with the  
1236 official records of the association. ~~Notice of any meeting in~~  
1237 ~~which regular or special assessments against unit owners are to~~  
1238 ~~be considered must specifically state that assessments will be~~  
1239 ~~considered and provide the estimated cost and description of the~~  
1240 ~~purposes for such assessments.~~

1241 2. Upon notice to the unit owners, the board shall, by  
1242 duly adopted rule, designate a specific location on the  
1243 condominium property at which ~~where~~ all notices of board  
1244 meetings must be posted. If there is no condominium property at  
1245 which ~~where~~ notices can be posted, notices shall be mailed,  
1246 delivered, or electronically transmitted to each unit owner at  
1247 least 14 days before the meeting. In lieu of or in addition to  
1248 the physical posting of the notice on the condominium property,  
1249 the association may, by reasonable rule, adopt a procedure for  
1250 conspicuously posting and repeatedly broadcasting the notice and

1251 the agenda on a closed-circuit cable television system serving  
1252 the condominium association. However, if broadcast notice is  
1253 used in lieu of a notice physically posted on condominium  
1254 property, the notice and agenda must be broadcast at least four  
1255 times every broadcast hour of each day that a posted notice is  
1256 otherwise required under this section. If broadcast notice is  
1257 provided, the notice and agenda must be broadcast in a manner  
1258 and for a sufficient continuous length of time so as to allow an  
1259 average reader to observe the notice and read and comprehend the  
1260 entire content of the notice and the agenda. In addition to any  
1261 of the authorized means of providing notice of a meeting of the  
1262 board, the association may, by rule, adopt a procedure for  
1263 conspicuously posting the meeting notice and the agenda on a  
1264 website serving the condominium association for at least the  
1265 minimum period of time for which a notice of a meeting is also  
1266 required to be physically posted on the condominium property.  
1267 Any rule adopted shall, in addition to other matters, include a  
1268 requirement that the association send an electronic notice in  
1269 the same manner as a notice for a meeting of the members, which  
1270 must include a hyperlink to the website at which ~~where~~ the  
1271 notice is posted, to unit owners whose e-mail addresses are  
1272 included in the association's official records.

1273 3. Notice of any meeting in which regular or special  
1274 assessments against unit owners are to be considered must  
1275 specifically state that assessments will be considered and

1276 provide the estimated cost and description of the purposes for  
1277 such assessments. If an agenda item relates to the approval of a  
1278 contract for goods or services, a copy of the contract must be  
1279 provided with the notice and be made available for inspection  
1280 and copying upon a written request from a unit owner or made  
1281 available on the association's website or through an application  
1282 that can be downloaded on a mobile device.

1283 ~~4.2.~~ Meetings of a committee to take final action on  
1284 behalf of the board or make recommendations to the board  
1285 regarding the association budget are subject to this paragraph.  
1286 Meetings of a committee that does not take final action on  
1287 behalf of the board or make recommendations to the board  
1288 regarding the association budget are subject to this section,  
1289 unless those meetings are exempted from this section by the  
1290 bylaws of the association.

1291 ~~5.3.~~ Notwithstanding any other law, the requirement that  
1292 board meetings and committee meetings be open to the unit owners  
1293 does not apply to:

1294 a. Meetings between the board or a committee and the  
1295 association's attorney, with respect to proposed or pending  
1296 litigation, if the meeting is held for the purpose of seeking or  
1297 rendering legal advice; or

1298 b. Board meetings held for the purpose of discussing  
1299 personnel matters.

1300 (d) *Unit owner meetings.*—

1301           1. An annual meeting of the unit owners must be held at  
1302 the location provided in the association bylaws and, if the  
1303 bylaws are silent as to the location, the meeting must be held  
1304 within 45 miles of the condominium property. However, such  
1305 distance requirement does not apply to an association governing  
1306 a timeshare condominium.

1307           2. Unless the bylaws provide otherwise, a vacancy on the  
1308 board caused by the expiration of a director's term must be  
1309 filled by electing a new board member, and the election must be  
1310 by secret ballot. An election is not required if the number of  
1311 vacancies equals or exceeds the number of candidates. For  
1312 purposes of this paragraph, the term "candidate" means an  
1313 eligible person who has timely submitted the written notice, as  
1314 described in sub-subparagraph 4.a., of his or her intention to  
1315 become a candidate. Except in a timeshare or nonresidential  
1316 condominium, or if the staggered term of a board member does not  
1317 expire until a later annual meeting, or if all members' terms  
1318 would otherwise expire but there are no candidates, the terms of  
1319 all board members expire at the annual meeting, and such members  
1320 may stand for reelection unless prohibited by the bylaws. Board  
1321 members may serve terms longer than 1 year if permitted by the  
1322 bylaws or articles of incorporation. A board member may not  
1323 serve more than 8 consecutive years unless approved by an  
1324 affirmative vote of unit owners representing two-thirds of all  
1325 votes cast in the election or unless there are not enough

1326 eligible candidates to fill the vacancies on the board at the  
1327 time of the vacancy. Only board service that occurs on or after  
1328 July 1, 2018, may be used when calculating a board member's term  
1329 limit. If the number of board members whose terms expire at the  
1330 annual meeting equals or exceeds the number of candidates, the  
1331 candidates become members of the board effective upon the  
1332 adjournment of the annual meeting. Unless the bylaws provide  
1333 otherwise, any remaining vacancies shall be filled by the  
1334 affirmative vote of the majority of the directors making up the  
1335 newly constituted board even if the directors constitute less  
1336 than a quorum or there is only one director. In a residential  
1337 condominium association of more than 10 units or in a  
1338 residential condominium association that does not include  
1339 timeshare units or timeshare interests, co-owners of a unit may  
1340 not serve as members of the board of directors at the same time  
1341 unless they own more than one unit or unless there are not  
1342 enough eligible candidates to fill the vacancies on the board at  
1343 the time of the vacancy. A unit owner in a residential  
1344 condominium desiring to be a candidate for board membership must  
1345 comply with sub-subparagraph 4.a. and must be eligible to be a  
1346 candidate to serve on the board of directors at the time of the  
1347 deadline for submitting a notice of intent to run in order to  
1348 have his or her name listed as a proper candidate on the ballot  
1349 or to serve on the board. A person who has been suspended or  
1350 removed by the division under this chapter, or who is delinquent

1351 in the payment of any assessment due to the association, is not  
1352 eligible to be a candidate for board membership and may not be  
1353 listed on the ballot. For purposes of this paragraph, a person  
1354 is delinquent if a payment is not made by the due date as  
1355 specifically identified in the declaration of condominium,  
1356 bylaws, or articles of incorporation. If a due date is not  
1357 specifically identified in the declaration of condominium,  
1358 bylaws, or articles of incorporation, the due date is the first  
1359 day of the assessment period. A person who has been convicted of  
1360 any felony in this state or in a United States District or  
1361 Territorial Court, or who has been convicted of any offense in  
1362 another jurisdiction which would be considered a felony if  
1363 committed in this state, is not eligible for board membership  
1364 unless such felon's civil rights have been restored for at least  
1365 5 years as of the date such person seeks election to the board.  
1366 The validity of an action by the board is not affected if it is  
1367 later determined that a board member is ineligible for board  
1368 membership due to having been convicted of a felony. This  
1369 subparagraph does not limit the term of a member of the board of  
1370 a nonresidential or timeshare condominium.

1371 3. The bylaws must provide the method of calling meetings  
1372 of unit owners, including annual meetings. Written notice of an  
1373 annual meeting must include an agenda; be mailed, hand  
1374 delivered, or electronically transmitted to each unit owner at  
1375 least 14 days before the annual meeting; and be posted in a

1376 conspicuous place on the condominium property or association  
1377 property at least 14 continuous days before the annual meeting.  
1378 Written notice of a meeting other than an annual meeting must  
1379 include an agenda; be mailed, hand delivered, or electronically  
1380 transmitted to each unit owner; and be posted in a conspicuous  
1381 place on the condominium property or association property within  
1382 the timeframe specified in the bylaws. If the bylaws do not  
1383 specify a timeframe for written notice of a meeting other than  
1384 an annual meeting, notice must be provided at least 14  
1385 continuous days before the meeting. Upon notice to the unit  
1386 owners, the board shall, by duly adopted rule, designate a  
1387 specific location on the condominium property or association  
1388 property at which ~~where~~ all notices of unit owner meetings must  
1389 be posted. This requirement does not apply if there is no  
1390 condominium property for posting notices. In lieu of, or in  
1391 addition to, the physical posting of meeting notices, the  
1392 association may, by reasonable rule, adopt a procedure for  
1393 conspicuously posting and repeatedly broadcasting the notice and  
1394 the agenda on a closed-circuit cable television system serving  
1395 the condominium association. However, if broadcast notice is  
1396 used in lieu of a notice posted physically on the condominium  
1397 property, the notice and agenda must be broadcast at least four  
1398 times every broadcast hour of each day that a posted notice is  
1399 otherwise required under this section. If broadcast notice is  
1400 provided, the notice and agenda must be broadcast in a manner



1401 and for a sufficient continuous length of time so as to allow an  
1402 average reader to observe the notice and read and comprehend the  
1403 entire content of the notice and the agenda. In addition to any  
1404 of the authorized means of providing notice of a meeting of the  
1405 board, the association may, by rule, adopt a procedure for  
1406 conspicuously posting the meeting notice and the agenda on a  
1407 website serving the condominium association for at least the  
1408 minimum period of time for which a notice of a meeting is also  
1409 required to be physically posted on the condominium property.  
1410 Any rule adopted shall, in addition to other matters, include a  
1411 requirement that the association send an electronic notice in  
1412 the same manner as a notice for a meeting of the members, which  
1413 must include a hyperlink to the website at which ~~where~~ the  
1414 notice is posted, to unit owners whose e-mail addresses are  
1415 included in the association's official records. Unless a unit  
1416 owner waives in writing the right to receive notice of the  
1417 annual meeting, such notice must be hand delivered, mailed, or  
1418 electronically transmitted to each unit owner. Notice for  
1419 meetings and notice for all other purposes must be mailed to  
1420 each unit owner at the address last furnished to the association  
1421 by the unit owner, or hand delivered to each unit owner.  
1422 However, if a unit is owned by more than one person, the  
1423 association must provide notice to the address that the  
1424 developer identifies for that purpose and thereafter as one or  
1425 more of the owners of the unit advise the association in

1426 writing, or if no address is given or the owners of the unit do  
1427 not agree, to the address provided on the deed of record. An  
1428 officer of the association, or the manager or other person  
1429 providing notice of the association meeting, must provide an  
1430 affidavit or United States Postal Service certificate of  
1431 mailing, to be included in the official records of the  
1432 association affirming that the notice was mailed or hand  
1433 delivered in accordance with this provision.

1434 4. The members of the board of a residential condominium  
1435 shall be elected by written ballot or voting machine. Proxies  
1436 may not be used in electing the board in general elections or  
1437 elections to fill vacancies caused by recall, resignation, or  
1438 otherwise, unless otherwise provided in this chapter. This  
1439 subparagraph does not apply to an association governing a  
1440 timeshare condominium.

1441 a. At least 60 days before a scheduled election, the  
1442 association shall mail, deliver, or electronically transmit, by  
1443 separate association mailing or included in another association  
1444 mailing, delivery, or transmission, including regularly  
1445 published newsletters, to each unit owner entitled to a vote, a  
1446 first notice of the date of the election. A unit owner or other  
1447 eligible person desiring to be a candidate for the board must  
1448 give written notice of his or her intent to be a candidate to  
1449 the association at least 40 days before a scheduled election.  
1450 Together with the written notice and agenda as set forth in

1451 subparagraph 3., the association shall mail, deliver, or  
1452 electronically transmit a second notice of the election to all  
1453 unit owners entitled to vote, together with a ballot that lists  
1454 all candidates not less than 14 days or more than 34 days before  
1455 the date of the election. Upon request of a candidate, an  
1456 information sheet, no larger than 8 1/2 inches by 11 inches,  
1457 which must be furnished by the candidate at least 35 days before  
1458 the election, must be included with the mailing, delivery, or  
1459 transmission of the ballot, with the costs of mailing, delivery,  
1460 or electronic transmission and copying to be borne by the  
1461 association. The association is not liable for the contents of  
1462 the information sheets prepared by the candidates. In order to  
1463 reduce costs, the association may print or duplicate the  
1464 information sheets on both sides of the paper. The division  
1465 shall by rule establish voting procedures consistent with this  
1466 sub-subparagraph, including rules establishing procedures for  
1467 giving notice by electronic transmission and rules providing for  
1468 the secrecy of ballots. Elections shall be decided by a  
1469 plurality of ballots cast. There is no quorum requirement;  
1470 however, at least 20 percent of the eligible voters must cast a  
1471 ballot in order to have a valid election. A unit owner may not  
1472 authorize any other person to vote his or her ballot, and any  
1473 ballots improperly cast are invalid. A unit owner who violates  
1474 this provision may be fined by the association in accordance  
1475 with s. 718.303. A unit owner who needs assistance in casting

1476 the ballot for the reasons stated in s. 101.051 may obtain such  
1477 assistance. The regular election must occur on the date of the  
1478 annual meeting. Notwithstanding this sub-subparagraph, an  
1479 election is not required unless more candidates file notices of  
1480 intent to run or are nominated than board vacancies exist.

1481 b. A director of a ~~Within 90 days after being elected or~~  
1482 ~~appointed to the~~ board of an association of a residential  
1483 condominium, ~~each newly elected or appointed director shall:~~

1484 (I) Certify in writing to the secretary of the association  
1485 that he or she has read the association's declaration of  
1486 condominium, articles of incorporation, bylaws, and current  
1487 written policies; that he or she will work to uphold such  
1488 documents and policies to the best of his or her ability; and  
1489 that he or she will faithfully discharge his or her fiduciary  
1490 responsibility to the association's members.

1491 (II) Submit to the secretary of the association ~~In lieu of~~  
1492 ~~this written certification, within 90 days after being elected~~  
1493 ~~or appointed to the board, the newly elected or appointed~~  
1494 ~~director may submit~~ a certificate of having satisfactorily  
1495 completed the educational curriculum administered by the  
1496 division or a division-approved condominium education provider.  
1497 The educational curriculum must be at least 4 hours long and  
1498 include instruction on milestone inspections, structural  
1499 integrity reserve studies, elections, recordkeeping, financial  
1500 literacy and transparency, levying of fines, and notice and

1501 meeting requirements within 1 year before or 90 days after the  
1502 date of election or appointment.

1503  
1504 Each newly elected or appointed director must submit to the  
1505 secretary of the association the written certification and  
1506 educational certificate within 1 year before being elected or  
1507 appointed or 90 days after the date of election or appointment.  
1508 A director of an association of a residential condominium who  
1509 was elected or appointed before July 1, 2024, must comply with  
1510 the written certification and educational certificate  
1511 requirements in this sub-subparagraph by June 30, 2025. The  
1512 written certification and ~~or~~ educational certificate is valid  
1513 for 7 years after the date of issuance and does not have to be  
1514 resubmitted as long as the director serves on the board without  
1515 interruption during the 7-year period. A director who is  
1516 appointed by the developer may satisfy the educational  
1517 certificate requirement in sub-sub-subparagraph (II) for any  
1518 subsequent appointment to a board by a developer within 7 years  
1519 after the date of issuance of the most recent educational  
1520 certificate, including any interruption of service on a board or  
1521 appointment to a board in another association within that 7-year  
1522 period. One year after submission of the most recent written  
1523 certification and educational certificate, and annually  
1524 thereafter, a director of an association of a residential  
1525 condominium must submit to the secretary of the association a

1526 certificate of having satisfactorily completed at least 1 hour  
1527 of continuing education administered by the division, or a  
1528 division-approved condominium education provider, relating to  
1529 any recent changes to this chapter and the related  
1530 administrative rules during the past year. A director of an  
1531 association of a residential condominium who fails to timely  
1532 file the written certification and ~~or~~ educational certificate is  
1533 suspended from service on the board until he or she complies  
1534 with this sub-subparagraph. The board may temporarily fill the  
1535 vacancy during the period of suspension. The secretary shall  
1536 cause the association to retain a director's written  
1537 certification and ~~or~~ educational certificate for inspection by  
1538 the members for 7 ~~5~~ years after a director's election or the  
1539 duration of the director's uninterrupted tenure, whichever is  
1540 longer. Failure to have such written certification and ~~or~~  
1541 educational certificate on file does not affect the validity of  
1542 any board action.

1543 c. Any challenge to the election process must be commenced  
1544 within 60 days after the election results are announced.

1545 5. Any approval by unit owners called for by this chapter  
1546 or the applicable declaration or bylaws, including, but not  
1547 limited to, the approval requirement in s. 718.111(8), must be  
1548 made at a duly noticed meeting of unit owners and is subject to  
1549 all requirements of this chapter or the applicable condominium  
1550 documents relating to unit owner decisionmaking, except that

1551 unit owners may take action by written agreement, without  
1552 meetings, on matters for which action by written agreement  
1553 without meetings is expressly allowed by the applicable bylaws  
1554 or declaration or any law that provides for such action.

1555 6. Unit owners may waive notice of specific meetings if  
1556 allowed by the applicable bylaws or declaration or any law.  
1557 Notice of meetings of the board of administration; unit owner  
1558 meetings, except unit owner meetings called to recall board  
1559 members under paragraph (1); and committee meetings may be given  
1560 by electronic transmission to unit owners who consent to receive  
1561 notice by electronic transmission. A unit owner who consents to  
1562 receiving notices by electronic transmission is solely  
1563 responsible for removing or bypassing filters that block receipt  
1564 of mass e-mails sent to members on behalf of the association in  
1565 the course of giving electronic notices.

1566 7. Unit owners have the right to participate in meetings  
1567 of unit owners with reference to all designated agenda items.  
1568 However, the association may adopt reasonable rules governing  
1569 the frequency, duration, and manner of unit owner participation.

1570 8. A unit owner may tape record or videotape a meeting of  
1571 the unit owners subject to reasonable rules adopted by the  
1572 division.

1573 9. Unless otherwise provided in the bylaws, any vacancy  
1574 occurring on the board before the expiration of a term may be  
1575 filled by the affirmative vote of the majority of the remaining

1576 | directors, even if the remaining directors constitute less than  
1577 | a quorum, or by the sole remaining director. In the alternative,  
1578 | a board may hold an election to fill the vacancy, in which case  
1579 | the election procedures must conform to sub-subparagraph 4.a.  
1580 | unless the association governs 10 units or fewer and has opted  
1581 | out of the statutory election process, in which case the bylaws  
1582 | of the association control. Unless otherwise provided in the  
1583 | bylaws, a board member appointed or elected under this section  
1584 | shall fill the vacancy for the unexpired term of the seat being  
1585 | filled. Filling vacancies created by recall is governed by  
1586 | paragraph (1) and rules adopted by the division.

1587 |       10. This chapter does not limit the use of general or  
1588 | limited proxies, require the use of general or limited proxies,  
1589 | or require the use of a written ballot or voting machine for any  
1590 | agenda item or election at any meeting of a timeshare  
1591 | condominium association or nonresidential condominium  
1592 | association.

1593 |  
1594 | Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an  
1595 | association of 10 or fewer units may, by affirmative vote of a  
1596 | majority of the total voting interests, provide for different  
1597 | voting and election procedures in its bylaws, which may be by a  
1598 | proxy specifically delineating the different voting and election  
1599 | procedures. The different voting and election procedures may  
1600 | provide for elections to be conducted by limited or general



1601 proxy.

1602 (f) *Annual budget.*—

1603 1. The proposed annual budget of estimated revenues and

1604 expenses must be detailed and must show the amounts budgeted by

1605 accounts and expense classifications, including, at a minimum,

1606 any applicable expenses listed in s. 718.504(21). The board

1607 shall adopt the annual budget at least 14 days before the start

1608 of the association's fiscal year. In the event that the board

1609 fails to timely adopt the annual budget a second time, it is

1610 deemed a minor violation and the prior year's budget shall

1611 continue in effect until a new budget is adopted. A

1612 multicondominium association must adopt a separate budget of

1613 common expenses for each condominium the association operates

1614 and must adopt a separate budget of common expenses for the

1615 association. In addition, if the association maintains limited

1616 common elements with the cost to be shared only by those

1617 entitled to use the limited common elements as provided for in

1618 s. 718.113(1), the budget or a schedule attached to it must show

1619 the amount budgeted for this maintenance. If, after turnover of

1620 control of the association to the unit owners, any of the

1621 expenses listed in s. 718.504(21) are not applicable, they do

1622 not need to be listed.

1623 2.a. In addition to annual operating expenses, the budget

1624 must include reserve accounts for capital expenditures and

1625 deferred maintenance. These accounts must include, but are not

1626 | limited to, roof replacement, building painting, and pavement  
1627 | resurfacing, regardless of the amount of deferred maintenance  
1628 | expense or replacement cost, and any other item that has a  
1629 | deferred maintenance expense or replacement cost that exceeds  
1630 | \$10,000. The amount to be reserved must be computed using a  
1631 | formula based upon estimated remaining useful life and estimated  
1632 | replacement cost or deferred maintenance expense of the reserve  
1633 | item. In a budget adopted by an association that is required to  
1634 | obtain a structural integrity reserve study, reserves must be  
1635 | maintained for the items identified in paragraph (g) for which  
1636 | the association is responsible pursuant to the declaration of  
1637 | condominium, and the reserve amount for such items must be based  
1638 | on the findings and recommendations of the association's most  
1639 | recent structural integrity reserve study. With respect to items  
1640 | for which an estimate of useful life is not readily  
1641 | ascertainable or with an estimated remaining useful life of  
1642 | greater than 25 years, an association is not required to reserve  
1643 | replacement costs for such items, but an association must  
1644 | reserve the amount of deferred maintenance expense, if any,  
1645 | which is recommended by the structural integrity reserve study  
1646 | for such items. The association may adjust replacement reserve  
1647 | assessments annually to take into account an inflation  
1648 | adjustment and any changes in estimates or extension of the  
1649 | useful life of a reserve item caused by deferred maintenance.  
1650 | The members of a unit-owner-controlled association may

1651 determine, by a majority vote of the total voting interests of  
1652 the association, to provide no reserves or less reserves than  
1653 required by this subsection. For a budget adopted on or after  
1654 December 31, 2024, the members of a unit-owner-controlled  
1655 association that must obtain a structural integrity reserve  
1656 study may not determine to provide no reserves or less reserves  
1657 than required by this subsection for items listed in paragraph  
1658 (g), except that members of an association operating a  
1659 multicondominium may determine to provide no reserves or less  
1660 reserves than required by this subsection if an alternative  
1661 funding method has been approved by the division. If the local  
1662 building official, as defined in s. 468.603, determines that the  
1663 entire condominium building is uninhabitable due to a natural  
1664 emergency, as defined in s. 252.34, the board, upon the approval  
1665 of a majority of its members, may pause the contribution to its  
1666 reserves or reduce reserve funding until the local building  
1667 official determines that the condominium building is habitable.  
1668 Any reserve account funds held by the association may be  
1669 expended, pursuant to the board's determination, to make the  
1670 condominium building and its structures habitable. Upon the  
1671 determination by the local building official that the  
1672 condominium building is habitable, the association must  
1673 immediately resume contributing funds to its reserves.

1674 b. Before turnover of control of an association by a  
1675 developer to unit owners other than a developer under s.

1676 718.301, the developer-controlled association may not vote to  
1677 waive the reserves or reduce funding of the reserves. If a  
1678 meeting of the unit owners has been called to determine whether  
1679 to waive or reduce the funding of reserves and no such result is  
1680 achieved or a quorum is not attained, the reserves included in  
1681 the budget shall go into effect. After the turnover, the  
1682 developer may vote its voting interest to waive or reduce the  
1683 funding of reserves.

1684 3. Reserve funds and any interest accruing thereon shall  
1685 remain in the reserve account or accounts, and may be used only  
1686 for authorized reserve expenditures unless their use for other  
1687 purposes is approved in advance by a majority vote of all the  
1688 total voting interests of the association. Before turnover of  
1689 control of an association by a developer to unit owners other  
1690 than the developer pursuant to s. 718.301, the developer-  
1691 controlled association may not vote to use reserves for purposes  
1692 other than those for which they were intended. For a budget  
1693 adopted on or after December 31, 2024, members of a unit-owner-  
1694 controlled association that must obtain a structural integrity  
1695 reserve study may not vote to use reserve funds, or any interest  
1696 accruing thereon, for any other purpose other than the  
1697 replacement or deferred maintenance costs of the components  
1698 listed in paragraph (g).

1699 4. The only voting interests that are eligible to vote on  
1700 questions that involve waiving or reducing the funding of

1701 reserves, or using existing reserve funds for purposes other  
 1702 than purposes for which the reserves were intended, are the  
 1703 voting interests of the units subject to assessment to fund the  
 1704 reserves in question. Proxy questions relating to waiving or  
 1705 reducing the funding of reserves or using existing reserve funds  
 1706 for purposes other than purposes for which the reserves were  
 1707 intended must contain the following statement in capitalized,  
 1708 bold letters in a font size larger than any other used on the  
 1709 face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN  
 1710 PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY  
 1711 RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED  
 1712 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

1713 (g) *Structural integrity reserve study.*—

1714 1. A residential condominium association must have a  
 1715 structural integrity reserve study completed at least every 10  
 1716 years after the condominium's creation for each building on the  
 1717 condominium property that is three stories or higher in height,  
 1718 as determined by the Florida Building Code, which includes, at a  
 1719 minimum, a study of the following items as related to the  
 1720 structural integrity and safety of the building:

1721 a. Roof.

1722 b. Structure, including load-bearing walls and other  
 1723 primary structural members and primary structural systems as  
 1724 those terms are defined in s. 627.706.

1725 c. Fireproofing and fire protection systems.

- 1726 d. Plumbing.
- 1727 e. Electrical systems.
- 1728 f. Waterproofing and exterior painting.
- 1729 g. Windows and exterior doors.
- 1730 h. Any other item that has a deferred maintenance expense
- 1731 or replacement cost that exceeds \$10,000 and the failure to
- 1732 replace or maintain such item negatively affects the items
- 1733 listed in sub-subparagraphs a.-g., as determined by the visual
- 1734 inspection portion of the structural integrity reserve study.
- 1735 2. A structural integrity reserve study is based on a
- 1736 visual inspection of the condominium property. A structural
- 1737 integrity reserve study may be performed by any person qualified
- 1738 to perform such study. However, the visual inspection portion of
- 1739 the structural integrity reserve study must be performed or
- 1740 verified by an engineer licensed under chapter 471, an architect
- 1741 licensed under chapter 481, or a person certified as a reserve
- 1742 specialist or professional reserve analyst by the Community
- 1743 Associations Institute or the Association of Professional
- 1744 Reserve Analysts.
- 1745 3. At a minimum, a structural integrity reserve study must
- 1746 identify each item of the condominium property being visually
- 1747 inspected, state the estimated remaining useful life and the
- 1748 estimated replacement cost or deferred maintenance expense of
- 1749 each item of the condominium property being visually inspected,
- 1750 and provide a reserve funding schedule with a recommended annual

1751 reserve amount that achieves the estimated replacement cost or  
1752 deferred maintenance expense of each item of condominium  
1753 property being visually inspected by the end of the estimated  
1754 remaining useful life of the item. The structural integrity  
1755 reserve study may recommend that reserves do not need to be  
1756 maintained for any item for which an estimate of useful life and  
1757 an estimate of replacement cost cannot be determined, or the  
1758 study may recommend a deferred maintenance expense amount for  
1759 such item. The structural integrity reserve study may recommend  
1760 that reserves for replacement costs do not need to be maintained  
1761 for any item with an estimated remaining useful life of greater  
1762 than 25 years, but the study may recommend a deferred  
1763 maintenance expense amount for such item.

1764 4. This paragraph does not apply to buildings less than  
1765 three stories in height; single-family, two-family, or three-  
1766 family dwellings with three or fewer habitable stories above  
1767 ground; any portion or component of a building that has not been  
1768 submitted to the condominium form of ownership; or any portion  
1769 or component of a building that is maintained by a party other  
1770 than the association.

1771 5. Before a developer turns over control of an association  
1772 to unit owners other than the developer, the developer must have  
1773 a turnover inspection report in compliance with s. 718.301(4)(p)  
1774 and (q) for each building on the condominium property that is  
1775 three stories or higher in height.

1776           6. Associations existing on or before July 1, 2022, which  
1777 are controlled by unit owners other than the developer, must  
1778 have a structural integrity reserve study completed by December  
1779 31, 2024, for each building on the condominium property that is  
1780 three stories or higher in height. An association that is  
1781 required to complete a milestone inspection in accordance with  
1782 s. 553.899 on or before December 31, 2026, may complete the  
1783 structural integrity reserve study simultaneously with the  
1784 milestone inspection. In no event may the structural integrity  
1785 reserve study be completed after December 31, 2026.

1786           7. If the milestone inspection required by s. 553.899, or  
1787 an inspection completed for a similar local requirement, was  
1788 performed within the past 5 years and meets the requirements of  
1789 this paragraph, such inspection may be used in place of the  
1790 visual inspection portion of the structural integrity reserve  
1791 study.

1792           8. If the officers or directors of an association  
1793 willfully and knowingly fail to complete a structural integrity  
1794 reserve study pursuant to this paragraph, such failure is a  
1795 breach of an officer's and director's fiduciary relationship to  
1796 the unit owners under s. 718.111(1).

1797           9. Within 45 days after receiving the structural integrity  
1798 reserve study, the association must distribute a copy of the  
1799 study to each unit owner or deliver to each unit owner a notice  
1800 that the completed study is available for inspection and copying



1801 upon a written request. Distribution of a copy of the study or  
1802 notice must be made by United States mail or personal delivery  
1803 to the mailing address, property address, or any other address  
1804 of the owner provided to fulfill the association's notice  
1805 requirements under this chapter, or by electronic transmission  
1806 to the e-mail address or facsimile number provided to fulfill  
1807 the association's notice requirements to unit owners who  
1808 previously consented to receive notice by electronic  
1809 transmission.

1810 10. Within 45 days after receiving the structural  
1811 integrity reserve study, the association must provide the  
1812 division with a statement indicating that the study was  
1813 completed and that the association provided or made available  
1814 such study to each unit owner in accordance with this section.  
1815 The statement must be provided to the division in the manner  
1816 established by the division using a form posted on the  
1817 division's website.

1818 (q) *Director or officer offenses.*—

1819 1. A director or an officer charged by information or  
1820 indictment with any of the following crimes must be removed from  
1821 office:

1822 a. Forgery, as provided in s. 831.01, of a ballot envelope  
1823 or voting certificate used in a condominium association  
1824 election.

1825 b. Theft, as provided in s. 812.014, or embezzlement

1826 involving the association's funds or property.

1827 c. Destruction of, or the refusal to allow inspection or  
1828 copying of, an official record of a condominium association  
1829 which is accessible to unit owners within the time periods  
1830 required by general law, in furtherance of any crime. Such act  
1831 constitutes tampering with physical evidence as provided in s.  
1832 918.13.

1833 d. Obstruction of justice under chapter 843.

1834 e. Any criminal violation under this chapter.

1835 2. The board shall fill the vacancy in accordance with  
1836 paragraph (2) (d) a felony theft or embezzlement offense  
1837 involving the association's funds or property must be removed  
1838 from office, creating a vacancy in the office to be filled  
1839 according to law until the end of the period of the suspension  
1840 or the end of the director's term of office, whichever occurs  
1841 first. While such director or officer has such criminal charge  
1842 pending, he or she may not be appointed or elected to a position  
1843 as a director or officer of any association and may not have  
1844 access to the official records of any association, except  
1845 pursuant to a court order. However, if the charges are resolved  
1846 without a finding of guilt, the director or officer shall be  
1847 reinstated for the remainder of his or her term of office, if  
1848 any.

1849 (r) Fraudulent voting activities relating to association  
1850 elections; penalties.-

1851 1. A person who engages in the following acts of  
1852 fraudulent voting activity relating to association elections  
1853 commits a misdemeanor of the first degree, punishable as  
1854 provided in s. 775.082 or s. 775.083:

1855 a. Willfully and falsely swearing to or affirming an oath  
1856 or affirmation, or willfully procuring another person to falsely  
1857 swear to or affirm an oath or affirmation, in connection with or  
1858 arising out of voting activities.

1859 b. Perpetrating or attempting to perpetrate, or aiding in  
1860 the perpetration of, fraud in connection with a vote cast, to be  
1861 cast, or attempted to be cast.

1862 c. Preventing a member from voting or preventing a member  
1863 from voting as he or she intended by fraudulently changing or  
1864 attempting to change a ballot, ballot envelope, vote, or voting  
1865 certificate of the member.

1866 d. Menacing, threatening, or using bribery or any other  
1867 corruption to attempt, directly or indirectly, to influence,  
1868 deceive, or deter a member when the member is voting.

1869 e. Giving or promising, directly or indirectly, anything  
1870 of value to another member with the intent to buy the vote of  
1871 that member or another member or to corruptly influence that  
1872 member or another member in casting his or her vote. This sub-  
1873 subparagraph does not apply to any food served which is to be  
1874 consumed at an election rally or a meeting or to any item of  
1875 nominal value which is used as an election advertisement,

1876 including a campaign message designed to be worn by a member.

1877 f. Using or threatening to use, directly or indirectly,  
1878 force, violence, or intimidation or any tactic of coercion or  
1879 intimidation to induce or compel a member to vote or refrain  
1880 from voting in an election or on a particular ballot measure.

1881 2. Each of the following acts constitutes a misdemeanor of  
1882 the first degree, punishable as provided in s. 775.082 or s.  
1883 775.083:

1884 a. Knowingly aiding, abetting, or advising a person in the  
1885 commission of a fraudulent voting activity related to  
1886 association elections.

1887 b. Agreeing, conspiring, combining, or confederating with  
1888 at least one other person to commit a fraudulent voting activity  
1889 related to association elections.

1890 c. Having knowledge of a fraudulent voting activity  
1891 related to association elections and giving any aid to the  
1892 offender with intent that the offender avoid or escape  
1893 detection, arrest, trial, or punishment. This sub-subparagraph  
1894 does not apply to a licensed attorney giving legal advice to a  
1895 client.

1896 Section 10. Subsection (5) of section 718.113, Florida  
1897 Statutes, is amended to read:

1898 718.113 Maintenance; limitation upon improvement; display  
1899 of flag; hurricane ~~shutters~~ and protection; display of religious  
1900 decorations.-

1901           (5) To protect the health, safety, and welfare of the  
 1902 people of the state and to ensure uniformity and consistency in  
 1903 the hurricane protections installed by condominium associations  
 1904 and unit owners, this subsection applies to all residential and  
 1905 mixed-use condominiums in the state, regardless of when the  
 1906 condominium is created pursuant to the declaration of  
 1907 condominium. Each board of administration of a residential  
 1908 condominium or mixed-use condominium must ~~shall~~ adopt hurricane  
 1909 protection ~~shutter~~ specifications for each building within each  
 1910 condominium operated by the association which may ~~shall~~ include  
 1911 color, style, and other factors deemed relevant by the board.  
 1912 All specifications adopted by the board must comply with the  
 1913 applicable building code. The installation, maintenance, repair,  
 1914 replacement, and operation of hurricane protection in accordance  
 1915 with this subsection is not considered a material alteration or  
 1916 substantial addition to the common elements or association  
 1917 property within the meaning of this section.

1918           (a) The board may, subject to s. 718.3026 and the approval  
 1919 of a majority of voting interests of the residential condominium  
 1920 or mixed-use condominium, install or require that unit owners  
 1921 install hurricane ~~shutters, impact glass, code-compliant windows~~  
 1922 ~~or doors, or other types of code-compliant hurricane protection~~  
 1923 that complies ~~comply~~ with or exceeds ~~exceed~~ the applicable  
 1924 building code. A vote of the unit owners to require the  
 1925 installation of hurricane protection must be set forth in a

1926 certificate attesting to such vote and include the date that the  
 1927 hurricane protection must be installed. The board must record  
 1928 the certificate in the public records of the county in which the  
 1929 condominium is located. Once the certificate is recorded, the  
 1930 board must mail or hand deliver a copy of the recorded  
 1931 certificate to the unit owners at the owners' addresses, as  
 1932 reflected in the records of the association. The board may  
 1933 provide to unit owners who previously consented to receive  
 1934 notice by electronic transmission a copy of the recorded  
 1935 certificate by electronic transmission. The failure to record  
 1936 the certificate or send a copy of the recorded certificate to  
 1937 the unit owners does not affect the validity or enforceability  
 1938 of the vote of the unit owners. However, A vote of the unit  
 1939 owners under this paragraph is not required if the installation,  
 1940 maintenance, repair, and replacement of the hurricane shutters,  
 1941 ~~impact glass, code-compliant windows or doors, or other types of~~  
 1942 ~~code-compliant hurricane protection,~~ or any exterior windows,  
 1943 doors, or other apertures protected by the hurricane protection,  
 1944 is ~~are~~ the responsibility of the association pursuant to the  
 1945 declaration of condominium as originally recorded or as amended,  
 1946 or if the unit owners are required to install hurricane  
 1947 protection pursuant to the declaration of condominium as  
 1948 originally recorded or as amended. If hurricane protection ~~or~~  
 1949 ~~laminated glass or window film architecturally designed to~~  
 1950 ~~function as hurricane protection~~ that complies with or exceeds

1951 the current applicable building code has been previously  
1952 installed, the board may not install the same type of hurricane  
1953 ~~shutters, impact glass, code-compliant windows or doors, or~~  
1954 ~~other types of code-compliant hurricane protection~~ or require  
1955 that unit owners install the same type of hurricane protection  
1956 unless the installed hurricane protection has reached the end of  
1957 its useful life or unless it is necessary to prevent damage to  
1958 the common elements or to a unit ~~except upon approval by a~~  
1959 ~~majority vote of the voting interests.~~

1960 ~~(b) The association is responsible for the maintenance,~~  
1961 ~~repair, and replacement of the hurricane shutters, impact glass,~~  
1962 ~~code-compliant windows or doors, or other types of code-~~  
1963 ~~compliant hurricane protection authorized by this subsection if~~  
1964 ~~such property is the responsibility of the association pursuant~~  
1965 ~~to the declaration of condominium. If the hurricane shutters,~~  
1966 ~~impact glass, code-compliant windows or doors, or other types of~~  
1967 ~~code-compliant hurricane protection are the responsibility of~~  
1968 ~~the unit owners pursuant to the declaration of condominium, the~~  
1969 ~~maintenance, repair, and replacement of such items are the~~  
1970 ~~responsibility of the unit owner.~~

1971 ~~(b)(e)~~ The board may operate ~~shutters, impact glass, code-~~  
1972 ~~compliant windows or doors, or other types of code-compliant~~  
1973 ~~hurricane protection installed pursuant to this subsection~~  
1974 ~~without permission of the unit owners only if such operation is~~  
1975 ~~necessary to preserve and protect the condominium property~~ or

1976 and association property. ~~The installation, replacement,~~  
1977 ~~operation, repair, and maintenance of such shutters, impact~~  
1978 ~~glass, code-compliant windows or doors, or other types of code-~~  
1979 ~~compliant hurricane protection in accordance with the procedures~~  
1980 ~~set forth in this paragraph are not a material alteration to the~~  
1981 ~~common elements or association property within the meaning of~~  
1982 ~~this section.~~

1983 (c)-(d) Notwithstanding any other provision in the  
1984 residential condominium or mixed-use condominium documents, if  
1985 approval is required by the documents, a board may not refuse to  
1986 approve the installation or replacement of ~~hurricane shutters,~~  
1987 ~~impact glass, code-compliant windows or doors, or other types of~~  
1988 ~~code-compliant~~ hurricane protection by a unit owner which  
1989 conforms ~~conforming~~ to the specifications adopted by the board.  
1990 However, a board may require the unit owner to adhere to an  
1991 existing unified building scheme regarding the external  
1992 appearance of the condominium.

1993 (d) A unit owner is not responsible for the cost of any  
1994 removal or reinstallation of hurricane protection, including  
1995 exterior windows, doors, or other apertures, if its removal is  
1996 necessary for the maintenance, repair, or replacement of other  
1997 condominium property or association property for which the  
1998 association is responsible. The board shall determine if the  
1999 removal or reinstallation of hurricane protection must be  
2000 completed by the unit owner or the association. If such removal



2001 or reinstallation is completed by the association, the costs  
2002 incurred by the association may not be charged to the unit  
2003 owner. If such removal or reinstallation is completed by the  
2004 unit owner, the association must reimburse the unit owner for  
2005 the cost of the removal or reinstallation or the association  
2006 must apply a credit toward future assessments in the amount of  
2007 the unit owner's cost to remove or reinstall the hurricane  
2008 protection.

2009 (e) If the removal or reinstallation of hurricane  
2010 protection, including exterior windows, doors, or other  
2011 apertures, is the responsibility of the unit owner and the  
2012 association completes such removal or reinstallation and then  
2013 charges the unit owner for such removal or reinstallation, such  
2014 charges are enforceable as an assessment and may be collected in  
2015 the manner provided under s. 718.116.

2016 Section 11. Paragraph (e) of subsection (1) of section  
2017 718.115, Florida Statutes, is amended to read:

2018 718.115 Common expenses and common surplus.—

2019 (1)

2020 (e)1. Except as provided in s. 718.113(5) (d), ~~The expense~~  
2021 ~~of installation, replacement, operation, repair, and maintenance~~  
2022 ~~of hurricane shutters, impact glass, code-compliant windows or~~  
2023 ~~doors, or other types of code-compliant hurricane protection by~~  
2024 ~~the board pursuant to s. 718.113(5) constitutes a common expense~~  
2025 ~~and shall be collected as provided in this section if the~~

2026 ~~association is responsible for the maintenance, repair, and~~  
2027 ~~replacement of the hurricane shutters, impact glass, code-~~  
2028 ~~compliant windows or doors, or other types of code-compliant~~  
2029 ~~hurricane protection pursuant to the declaration of condominium.~~  
2030 ~~However,~~ if the installation of maintenance, repair, and  
2031 ~~replacement of the hurricane shutters, impact glass, code-~~  
2032 ~~compliant windows or doors, or other types of code-compliant~~  
2033 hurricane protection is ~~are~~ the responsibility of the unit  
2034 owners pursuant to the declaration of condominium or a vote of  
2035 the unit owners under s. 718.113(5), the cost of the  
2036 installation of ~~the hurricane shutters, impact glass, code-~~  
2037 ~~compliant windows or doors, or other types of code-compliant~~  
2038 hurricane protection by the association is not a common expense  
2039 and must ~~shall~~ be charged individually to the unit owners based  
2040 on the cost of installation of ~~the hurricane shutters, impact~~  
2041 ~~glass, code-compliant windows or doors, or other types of code-~~  
2042 ~~compliant~~ hurricane protection appurtenant to the unit. The  
2043 costs of installation of hurricane protection are enforceable as  
2044 an assessment and may be collected in the manner provided under  
2045 s. 718.116.

2046 2. Notwithstanding s. 718.116(9), and regardless of  
2047 whether ~~or not~~ the declaration requires the association or unit  
2048 owners to install, maintain, repair, or replace ~~hurricane~~  
2049 ~~shutters, impact glass, code-compliant windows or doors, or~~  
2050 ~~other types of code-compliant~~ hurricane protection, the a unit

2051 owner of a unit in which ~~who has previously installed hurricane~~  
2052 ~~shutters in accordance with s. 718.113(5) that comply with the~~  
2053 ~~current applicable building code shall receive a credit when the~~  
2054 ~~shutters are installed; a unit owner who has previously~~  
2055 ~~installed impact glass or code-compliant windows or doors that~~  
2056 ~~comply with the current applicable building code shall receive a~~  
2057 ~~credit when the impact glass or code-compliant windows or doors~~  
2058 ~~are installed; and a unit owner who has installed other types of~~  
2059 ~~code-compliant hurricane protection that~~ complies ~~comply~~ with  
2060 the current applicable building code has been installed is  
2061 excused from any assessment levied by the association or shall  
2062 receive a credit if ~~when~~ the same type of ~~other code-compliant~~  
2063 hurricane protection is installed by the association. A credit  
2064 is applicable if the installation of hurricane protection is for  
2065 all other units that do not have hurricane protection and the  
2066 cost of such installation is funded by the association's budget,  
2067 including the use of reserve funds. The credit must be equal to  
2068 the amount that the unit owner would have been assessed to  
2069 install the hurricane protection, ~~and the credit shall be equal~~  
2070 ~~to the pro rata portion of the assessed installation cost~~  
2071 ~~assigned to each unit. However, such unit owner remains~~  
2072 responsible for the pro rata share of expenses for hurricane  
2073 ~~shutters, impact glass, code-compliant windows or doors, or~~  
2074 ~~other types of code-compliant hurricane protection installed on~~  
2075 common elements and association property by the board pursuant

2076 to s. 718.113(5) and remains responsible for a pro rata share of  
 2077 the expense of the replacement, operation, repair, and  
 2078 maintenance of such ~~shutters, impact glass, code-compliant~~  
 2079 ~~windows or doors, or other types of code-compliant~~ hurricane  
 2080 protection. Expenses for the installation, replacement,  
 2081 operation, repair, or maintenance of hurricane protection on  
 2082 common elements and association property are common expenses.

2083 Section 12. Paragraph (a) of subsection (4) of section  
 2084 718.121, Florida Statutes, is amended to read:

2085 718.121 Liens.—

2086 (4) (a) If an association sends out an invoice for  
 2087 assessments or a unit's statement of the account described in s.  
 2088 718.111(12)(a)11.c. ~~s. 718.111(12)(a)11.b.~~, the invoice for  
 2089 assessments or the unit's statement of account must be delivered  
 2090 to the unit owner by first-class United States mail or by  
 2091 electronic transmission to the unit owner's e-mail address  
 2092 maintained in the association's official records.

2093 Section 13. Section 718.124, Florida Statutes, is amended  
 2094 to read:

2095 718.124 Limitation on actions by association.—The statute  
 2096 of limitations and statute of repose for any actions in law or  
 2097 equity which a condominium association or a cooperative  
 2098 association may have shall not begin to run until the unit  
 2099 owners have elected a majority of the members of the board of  
 2100 administration.

2101 Section 14. Section 718.1224, Florida Statutes, is amended  
 2102 to read:

2103 718.1224 Prohibition against SLAPP suits; other prohibited  
 2104 actions.—

2105 (1) It is the intent of the Legislature to protect the  
 2106 right of condominium unit owners to exercise their rights to  
 2107 instruct their representatives and petition for redress of  
 2108 grievances before their condominium associations and the various  
 2109 governmental entities of this state as protected by the First  
 2110 Amendment to the United States Constitution and s. 5, Art. I of  
 2111 the State Constitution. The Legislature recognizes that  
 2112 strategic lawsuits against public participation, or "SLAPP  
 2113 suits," as they are typically referred to, have occurred when  
 2114 association members are sued by condominium associations,  
 2115 individuals, business entities, or governmental entities arising  
 2116 out of a condominium unit owner's appearance and presentation  
 2117 before the board of the condominium association or a  
 2118 governmental entity on matters related to the condominium  
 2119 association. However, it is the public policy of this state that  
 2120 condominium associations, governmental entities, business  
 2121 organizations, and individuals not engage in SLAPP suits,  
 2122 because such actions are inconsistent with the right of  
 2123 condominium unit owners to participate in their condominium  
 2124 association and in the state's institutions of government.  
 2125 Therefore, the Legislature finds and declares that prohibiting

2126 such lawsuits by condominium associations, governmental  
2127 entities, business entities, and individuals against condominium  
2128 unit owners who address matters concerning their condominium  
2129 association will preserve this fundamental state policy,  
2130 preserve the constitutional rights of condominium unit owners,  
2131 ~~and~~ ensure the continuation of representative government in this  
2132 state, and ensure unit owner participation in condominium  
2133 associations. It is the intent of the Legislature that such  
2134 lawsuits be expeditiously disposed of by the courts. As used in  
2135 this subsection, the term "governmental entity" means the state,  
2136 including the executive, legislative, and judicial branches of  
2137 government; law enforcement agencies; the independent  
2138 establishments of the state, counties, municipalities,  
2139 districts, authorities, boards, or commissions; or any agencies  
2140 of these branches that are subject to chapter 286.

2141 (2) A condominium association, governmental entity,  
2142 business organization, or individual in this state may not file  
2143 or cause to be filed through its employees or agents any  
2144 lawsuit, cause of action, claim, cross-claim, or counterclaim  
2145 against a condominium unit owner without merit and solely  
2146 because such condominium unit owner has exercised the right to  
2147 instruct his or her representatives or the right to petition for  
2148 redress of grievances before the condominium association or the  
2149 various governmental entities of this state, as protected by the  
2150 First Amendment to the United States Constitution and s. 5, Art.

2151 I of the State Constitution.

2152 (3) It is unlawful for a condominium association to fine,  
2153 discriminatorily increase a unit owner's assessments,  
2154 discriminatorily decrease services to a unit owner, or bring or  
2155 threaten to bring an action for possession or other civil  
2156 action, including a defamation, libel, slander, or tortious  
2157 interference action, based on conduct described in this  
2158 subsection. In order for the unit owner to raise the defense of  
2159 retaliatory conduct, the unit owner must have acted in good  
2160 faith and not for any improper purposes, such as to harass or to  
2161 cause unnecessary delay or for frivolous purpose or needless  
2162 increase in the cost of litigation. Examples of conduct for  
2163 which a condominium association, an officer, a director, or an  
2164 agent of an association may not retaliate include, but are not  
2165 limited to, situations in which:

2166 (a) The unit owner has in good faith complained to a  
2167 governmental agency charged with responsibility for enforcement  
2168 of a building, housing, or health code of a suspected violation  
2169 applicable to the condominium;

2170 (b) The unit owner has organized, encouraged, or  
2171 participated in a unit owners' organization;

2172 (c) The unit owner submitted information or filed a  
2173 complaint alleging criminal violations or violations of this  
2174 chapter or the rules of the division with the division, the  
2175 Office of the Condominium Ombudsman, a law enforcement agency, a

2176 state attorney, the Attorney General, or any other governmental  
 2177 agency;

2178 (d) The unit owner has exercised his or her rights under  
 2179 this chapter;

2180 (e) The unit owner has complained to the association or  
 2181 any of the association's representatives for the failure to  
 2182 comply with this chapter or chapter 617; or

2183 (f) The unit owner has made public statements critical of  
 2184 the operation or management of the association.

2185 (4) Evidence of retaliatory conduct may be raised by the  
 2186 unit owner as a defense in any action brought against him or her  
 2187 for possession.

2188 (5)~~(3)~~ A condominium unit owner sued by a condominium  
 2189 association, governmental entity, business organization, or  
 2190 individual in violation of this section has a right to an  
 2191 expeditious resolution of a claim that the suit is in violation  
 2192 of this section. A condominium unit owner may petition the court  
 2193 for an order dismissing the action or granting final judgment in  
 2194 favor of that condominium unit owner. The petitioner may file a  
 2195 motion for summary judgment, together with supplemental  
 2196 affidavits, seeking a determination that the condominium  
 2197 association's, governmental entity's, business organization's,  
 2198 or individual's lawsuit has been brought in violation of this  
 2199 section. The condominium association, governmental entity,  
 2200 business organization, or individual shall thereafter file its



2201 response and any supplemental affidavits. As soon as  
 2202 practicable, the court shall set a hearing on the petitioner's  
 2203 motion, which shall be held at the earliest possible time after  
 2204 the filing of the condominium association's, governmental  
 2205 entity's, business organization's, or individual's response. The  
 2206 court may award the condominium unit owner sued by the  
 2207 condominium association, governmental entity, business  
 2208 organization, or individual actual damages arising from the  
 2209 condominium association's, governmental entity's, individual's,  
 2210 or business organization's violation of this section. A court  
 2211 may treble the damages awarded to a prevailing condominium unit  
 2212 owner and shall state the basis for the treble damages award in  
 2213 its judgment. The court shall award the prevailing party  
 2214 reasonable attorney's fees and costs incurred in connection with  
 2215 a claim that an action was filed in violation of this section.

2216 ~~(6)-(4)~~ Condominium associations may not expend association  
 2217 funds in prosecuting a SLAPP suit against a condominium unit  
 2218 owner.

2219 (7) Condominium associations may not expend association  
 2220 funds in support of a defamation, libel, slander, or tortious  
 2221 interference action against a unit owner or any other claim  
 2222 against a unit owner based on conduct described in subsection  
 2223 (3).

2224 Section 15. Section 718.128, Florida Statutes, is amended  
 2225 to read:

2226           718.128 Electronic voting.—The association may conduct  
 2227 elections and other unit owner votes through an Internet-based  
 2228 online voting system if a unit owner consents, electronically or  
 2229 in writing, to online voting and if the following requirements  
 2230 are met:

2231           (1) The association provides each unit owner with:

2232           (a) A method to authenticate the unit owner's identity to  
 2233 the online voting system.

2234           (b) For elections of the board, a method to transmit an  
 2235 electronic ballot to the online voting system that ensures the  
 2236 secrecy and integrity of each ballot.

2237           (c) A method to confirm, at least 14 days before the  
 2238 voting deadline, that the unit owner's electronic device can  
 2239 successfully communicate with the online voting system.

2240           (2) The association uses an online voting system that is:

2241           (a) Able to authenticate the unit owner's identity.

2242           (b) Able to authenticate the validity of each electronic  
 2243 vote to ensure that the vote is not altered in transit.

2244           (c) Able to transmit a receipt from the online voting  
 2245 system to each unit owner who casts an electronic vote.

2246           (d) For elections of the board of administration, able to  
 2247 permanently separate any authentication or identifying  
 2248 information from the electronic election ballot, rendering it  
 2249 impossible to tie an election ballot to a specific unit owner.

2250           (e) Able to store and keep electronic votes accessible to

2251 election officials for recount, inspection, and review purposes.

2252 (3) A unit owner voting electronically pursuant to this  
2253 section shall be counted as being in attendance at the meeting  
2254 for purposes of determining a quorum. A substantive vote of the  
2255 unit owners may not be taken on any issue other than the issues  
2256 specifically identified in the electronic vote, when a quorum is  
2257 established based on unit owners voting electronically pursuant  
2258 to this section.

2259 (4) This section applies to an association that provides  
2260 for and authorizes an online voting system pursuant to this  
2261 section by a board resolution. If the board authorizes online  
2262 voting, the board must honor a unit owner's request to vote  
2263 electronically at all subsequent elections, unless such unit  
2264 owner opts out of online voting. The board resolution must  
2265 provide that unit owners receive notice of the opportunity to  
2266 vote through an online voting system, must establish reasonable  
2267 procedures and deadlines for unit owners to consent,  
2268 electronically or in writing, to online voting, and must  
2269 establish reasonable procedures and deadlines for unit owners to  
2270 opt out of online voting after giving consent. Written notice of  
2271 a meeting at which the resolution will be considered must be  
2272 mailed, delivered, or electronically transmitted to the unit  
2273 owners and posted conspicuously on the condominium property or  
2274 association property at least 14 days before the meeting.  
2275 Evidence of compliance with the 14-day notice requirement must

2276 | be made by an affidavit executed by the person providing the  
2277 | notice and filed with the official records of the association.

2278 |       (5) A unit owner's consent to online voting is valid until  
2279 | the unit owner opts out of online voting according to the  
2280 | procedures established by the board of administration pursuant  
2281 | to subsection (4).

2282 |       (6) This section may apply to any matter that requires a  
2283 | vote of the unit owners who are not members of a timeshare  
2284 | condominium association.

2285 |       Section 16. Effective October 1, 2024, subsections (1) and  
2286 | (3) of section 718.202, Florida Statutes, are amended to read:

2287 |       718.202 Sales or reservation deposits prior to closing.—

2288 |       (1) If a developer contracts to sell a condominium parcel  
2289 | and the construction, furnishing, and landscaping of the  
2290 | property submitted or proposed to be submitted to condominium  
2291 | ownership has not been substantially completed in accordance  
2292 | with the plans and specifications and representations made by  
2293 | the developer in the disclosures required by this chapter, the  
2294 | developer shall pay into an escrow account all payments up to 10  
2295 | percent of the sale price received by the developer from the  
2296 | buyer towards the sale price. The escrow agent shall give to the  
2297 | purchaser a receipt for the deposit, upon request. In lieu of  
2298 | the foregoing concerning residential condominiums, the division  
2299 | director has the discretion to accept other assurances,  
2300 | including, but not limited to, a surety bond or an irrevocable

2301 letter of credit in an amount equal to the escrow requirements  
2302 of this section. With respect to nonresidential condominiums,  
2303 the developer may deliver to the escrow agent a surety bond or  
2304 an irrevocable letter of credit in an amount equivalent to the  
2305 aggregate of some or all of all payments, up to 10 percent of  
2306 the sale price, received by the developer from all buyers toward  
2307 the sale price. In all cases, the aggregate of the initial 10  
2308 percent deposits being released must be secured by a surety bond  
2309 or irrevocable letter of credit in an equivalent amount. Default  
2310 determinations and refund of deposits shall be governed by the  
2311 escrow release provision of this subsection. Funds shall be  
2312 released from escrow as follows:

2313 (a) If a buyer properly terminates the contract pursuant  
2314 to its terms or pursuant to this chapter, the funds shall be  
2315 paid to the buyer together with any interest earned.

2316 (b) If the buyer defaults in the performance of his or her  
2317 obligations under the contract of purchase and sale, the funds  
2318 shall be paid to the developer together with any interest  
2319 earned.

2320 (c) If the contract does not provide for the payment of  
2321 any interest earned on the escrowed funds, interest shall be  
2322 paid to the developer at the closing of the transaction.

2323 (d) If the funds of a buyer have not been previously  
2324 disbursed in accordance with the provisions of this subsection,  
2325 they may be disbursed to the developer by the escrow agent at

2326 the closing of the transaction, unless prior to the disbursement  
2327 the escrow agent receives from the buyer written notice of a  
2328 dispute between the buyer and developer.

2329 (3) If the contract for sale of the condominium unit so  
2330 provides, the developer may withdraw escrow funds in excess of  
2331 10 percent of the purchase price from the special account  
2332 required by subsection (2) when the construction of improvements  
2333 has begun. He or she may use the funds for the actual costs  
2334 incurred by the developer in the construction and development of  
2335 the condominium property, or the easements and rights  
2336 appurtenant thereto, in which the unit to be sold is located.  
2337 For purposes of this subsection, the term "actual costs"  
2338 includes, but is not limited to, expenditures for demolition,  
2339 site clearing, permit fees, impact fees, and utility reservation  
2340 fees, as well as architectural, engineering, and surveying fees  
2341 that directly relate to construction and development of the  
2342 condominium property or the easements and rights appurtenant  
2343 thereto. However, no part of these funds may be used for  
2344 salaries, commissions, or expenses of salespersons; for  
2345 advertising, marketing, or promotional purposes; or for loan  
2346 fees and costs, principal and interest on loans, attorney fees,  
2347 accounting fees, or insurance costs. A contract that ~~which~~  
2348 permits use of the advance payments for these purposes must  
2349 ~~shall~~ include the following legend conspicuously printed or  
2350 stamped in boldfaced type on the first page of the contract and

2351 immediately above the place for the signature of the buyer: "ANY  
 2352 PAYMENT IN EXCESS OF 10 PERCENT OF THE PURCHASE PRICE MADE TO  
 2353 DEVELOPER PRIOR TO CLOSING PURSUANT TO THIS CONTRACT MAY BE USED  
 2354 FOR CONSTRUCTION PURPOSES BY THE DEVELOPER.""

2355 Section 17. Paragraph (p) of subsection (4) of section  
 2356 718.301, Florida Statutes, is amended to read:

2357 718.301 Transfer of association control; claims of defect  
 2358 by association.—

2359 (4) At the time that unit owners other than the developer  
 2360 elect a majority of the members of the board of administration  
 2361 of an association, the developer shall relinquish control of the  
 2362 association, and the unit owners shall accept control.

2363 Simultaneously, or for the purposes of paragraph (c) not more  
 2364 than 90 days thereafter, the developer shall deliver to the  
 2365 association, at the developer's expense, all property of the  
 2366 unit owners and of the association which is held or controlled  
 2367 by the developer, including, but not limited to, the following  
 2368 items, if applicable, as to each condominium operated by the  
 2369 association:

2370 (p) Notwithstanding when the certificate of occupancy was  
 2371 issued or the height of the building, a turnover inspection  
 2372 report included in the official records, under seal of an  
 2373 architect or engineer authorized to practice in this state or a  
 2374 person certified as a reserve specialist or professional reserve  
 2375 analyst by the Community Associations Institute or the

2376 Association of Professional Reserve Analysts, and consisting of  
 2377 a structural integrity reserve study attesting to required  
 2378 maintenance, condition, useful life, and replacement costs of  
 2379 the following applicable condominium property:

- 2380 1. Roof.
- 2381 2. Structure, including load-bearing walls and primary  
 2382 structural members and primary structural systems as those terms  
 2383 are defined in s. 627.706.
- 2384 3. Fireproofing and fire protection systems.
- 2385 4. Plumbing.
- 2386 5. Electrical systems.
- 2387 6. Waterproofing and exterior painting.
- 2388 7. Windows and exterior doors.

2389 Section 18. Subsections (4) and (5) of section 718.3027,  
 2390 Florida Statutes, are amended to read:

2391 718.3027 Conflicts of interest.—

2392 (4) A director or an officer, or a relative of a director  
 2393 or an officer, who is a party to, or has an interest in, an  
 2394 activity that is a possible conflict of interest, as described  
 2395 in subsection (1), may attend the meeting at which the activity  
 2396 is considered by the board and is authorized to make a  
 2397 presentation to the board regarding the activity. After the  
 2398 presentation, the director or officer, and any ~~or the~~ relative  
 2399 of the director or officer, must leave the meeting during the  
 2400 discussion of, and the vote on, the activity. A director or an



2401 officer who is a party to, or has an interest in, the activity  
 2402 must recuse himself or herself from the vote. The attendance of  
 2403 a director or an officer with a possible conflict of interest at  
 2404 the meeting of the board is sufficient to constitute a quorum  
 2405 for the meeting and the vote in his or her absence on the  
 2406 proposed activity.

2407 (5) A contract entered into between a director or an  
 2408 officer, or a relative of a director or an officer, and the  
 2409 association, which is not a timeshare condominium association,  
 2410 that has not been properly disclosed as a conflict of interest  
 2411 or potential conflict of interest as required by this section or  
 2412 s. 617.0832 ~~s. 718.111(12)(g)~~ is voidable and terminates upon  
 2413 the filing of a written notice terminating the contract with the  
 2414 board of directors which contains the consent of at least 20  
 2415 percent of the voting interests of the association.

2416 Section 19. Subsection (5) of section 718.303, Florida  
 2417 Statutes, is amended to read:

2418 718.303 Obligations of owners and occupants; remedies.—

2419 (5) An association may suspend the voting rights of a unit  
 2420 owner or member due to nonpayment of any fee, fine, or other  
 2421 monetary obligation due to the association which is more than  
 2422 \$1,000 and more than 90 days delinquent. Proof of such  
 2423 obligation must be provided to the unit owner or member 30 days  
 2424 before such suspension takes effect. At least 90 days before an  
 2425 election, an association must notify a unit owner or member that

2426 his or her voting rights may be suspended due to a nonpayment of  
2427 a fee or other monetary obligation. A voting interest or consent  
2428 right allocated to a unit owner or member which has been  
2429 suspended by the association shall be subtracted from the total  
2430 number of voting interests in the association, which shall be  
2431 reduced by the number of suspended voting interests when  
2432 calculating the total percentage or number of all voting  
2433 interests available to take or approve any action, and the  
2434 suspended voting interests shall not be considered for any  
2435 purpose, including, but not limited to, the percentage or number  
2436 of voting interests necessary to constitute a quorum, the  
2437 percentage or number of voting interests required to conduct an  
2438 election, or the percentage or number of voting interests  
2439 required to approve an action under this chapter or pursuant to  
2440 the declaration, articles of incorporation, or bylaws. The  
2441 suspension ends upon full payment of all obligations currently  
2442 due or overdue the association. The notice and hearing  
2443 requirements under subsection (3) do not apply to a suspension  
2444 imposed under this subsection.

2445 Section 20. Effective October 1, 2024, section 718.407,  
2446 Florida Statutes, is created to read:

2447 718.407 Condominiums created within a portion of a  
2448 building or within a multiple parcel building.-

2449 (1) A condominium may be created in accordance with this  
2450 section within a portion of a building or within a multiple

2451 parcel building, as defined in s. 193.0237(1).

2452 (2) The common elements of a condominium created within a  
2453 portion of a building or within a multiple parcel building are  
2454 only those portions of the building submitted to the condominium  
2455 form of ownership, excluding the units of such condominium.

2456 (3) The declaration of condominium that creates a  
2457 condominium within a portion of a building or within a multiple  
2458 parcel building, the recorded instrument that creates the  
2459 multiple parcel building, and any other recorded instrument  
2460 applicable under this section must specify all of the following:

2461 (a) The portions of the building which are included in the  
2462 condominium and the portions of the building which are excluded.

2463 (b) The party responsible for maintaining and operating  
2464 those portions of the building which are shared facilities,  
2465 including, but not limited to, the roof, the exterior of the  
2466 building, the windows, the balconies, the elevators, the  
2467 building lobby, the corridors, the recreational amenities, and  
2468 the utilities.

2469 (c)1. The manner in which the expenses for the maintenance  
2470 and operation of the shared facilities will be apportioned. An  
2471 owner of a portion of a building which is not submitted to the  
2472 condominium form of ownership or the condominium association, as  
2473 applicable to the portion of the building submitted to the  
2474 condominium form of ownership, must approve any increase to the  
2475 apportionment of expenses to such portion of the building. The

2476 apportionment of the expenses for the maintenance and operation  
2477 of the shared facilities may be based on any of the following  
2478 criteria or any combination thereof:

2479 a. The area or volume of each portion of the building in  
2480 relation to the total area or volume of the entire building,  
2481 exclusive of the shared facilities.

2482 b. The initial estimated market value of each portion of  
2483 the building in comparison to the total initial estimated market  
2484 value of the entire building.

2485 c. The extent to which the unit owners are permitted to  
2486 use various shared facilities.

2487 2. This paragraph does not preclude an alternative  
2488 apportionment of expenses as long as such apportionment is  
2489 stated in the declaration of condominium that creates a  
2490 condominium within a portion of a building or within a multiple  
2491 parcel building, the recorded instrument that creates the  
2492 multiple parcel building, or any other recorded instrument  
2493 applicable under this section.

2494 (d) The party responsible for collecting the shared  
2495 expenses.

2496 (e) The rights and remedies that are available to enforce  
2497 payment of the shared expenses.

2498 (4) The association of a condominium subject to this  
2499 section may inspect and copy the books and records upon which  
2500 the costs for maintaining and operating the shared facilities

2501 are based and to receive an annual budget with respect to such  
 2502 costs.

2503 (5) Each contract for the sale of a unit in a condominium  
 2504 subject to this section must contain in conspicuous type a  
 2505 clause that substantially states:

2507 DISCLOSURE SUMMARY

2508 THE CONDOMINIUM IN WHICH YOUR UNIT IS LOCATED IS CREATED  
 2509 WITHIN A PORTION OF A BUILDING OR WITHIN A MULTIPLE PARCEL  
 2510 BUILDING. THE COMMON ELEMENTS OF THE CONDOMINIUM CONSIST  
 2511 ONLY OF THE PORTIONS OF THE BUILDING SUBMITTED TO THE  
 2512 CONDOMINIUM FORM OF OWNERSHIP.

2513  
 2514 BUYER ACKNOWLEDGES ALL OF THE FOLLOWING:

2515  
 2516 (1) THE CONDOMINIUM MAY HAVE MINIMAL COMMON ELEMENTS.

2517 (2) PORTIONS OF THE BUILDING WHICH ARE NOT INCLUDED IN THE  
 2518 CONDOMINIUM ARE OR WILL BE GOVERNED BY A SEPARATE RECORDED  
 2519 INSTRUMENT. SUCH INSTRUMENT CONTAINS IMPORTANT PROVISIONS  
 2520 AND RIGHTS AND IS OR WILL BE AVAILABLE IN PUBLIC RECORDS.

2521 (3) THE PARTY THAT CONTROLS THE MAINTENANCE AND OPERATION  
 2522 OF THE PORTIONS OF THE BUILDING WHICH ARE NOT INCLUDED IN  
 2523 THE CONDOMINIUM DETERMINES THE BUDGET FOR THE OPERATION AND  
 2524 MAINTENANCE OF SUCH PORTIONS. HOWEVER, THE ASSOCIATION AND  
 2525 UNIT OWNERS ARE STILL RESPONSIBLE FOR THEIR SHARE OF SUCH

2526           EXPENSES.  
 2527           (4) THE ALLOCATION BETWEEN THE UNIT OWNERS AND THE OWNERS  
 2528           OF THE PORTIONS OF THE BUILDING WHICH ARE NOT INCLUDED IN  
 2529           THE CONDOMINIUM OF THE COSTS TO MAINTAIN AND OPERATE THE  
 2530           BUILDING CAN BE FOUND IN THE DECLARATION OF CONDOMINIUM OR  
 2531           OTHER RECORDED INSTRUMENT.

2532  
 2533           (6) The creation of a multiple parcel building is not a  
 2534           subdivision of the land upon which such building is situated  
 2535           provided the land itself is not subdivided.

2536           Section 21. Subsections (1) and (2) of section 718.501,  
 2537 Florida Statutes, are amended to read:

2538           718.501 Authority, responsibility, and duties of Division  
 2539 of Florida Condominiums, Timeshares, and Mobile Homes.—

2540           (1) The division may enforce and ensure compliance with  
 2541 this chapter and rules relating to the development,  
 2542 construction, sale, lease, ownership, operation, and management  
 2543 of residential condominium units and complaints related to the  
 2544 procedural completion of milestone inspections under s. 553.899.  
 2545 In performing its duties, the division has complete jurisdiction  
 2546 to investigate complaints and enforce compliance with respect to  
 2547 associations that are still under developer control or the  
 2548 control of a bulk assignee or bulk buyer pursuant to part VII of  
 2549 this chapter and complaints against developers, bulk assignees,  
 2550 or bulk buyers involving improper turnover or failure to

2551 turnover, pursuant to s. 718.301. However, after turnover has  
2552 occurred, the division has jurisdiction to investigate  
2553 complaints related only to:

2554 (a)1. Procedural aspects and records relating to financial  
2555 issues, including annual financial reporting under s.  
2556 718.111(13); assessments for common expenses, fines, and  
2557 commingling of reserve and operating funds under s. 718.111(14);  
2558 use of debit cards for unintended purposes under s. 718.111(15);  
2559 the annual operating budget and the allocation of reserve funds  
2560 under s. 718.112(2)(f); financial records under s.  
2561 718.111(12)(a)11.; and any other record necessary to determine  
2562 the revenues and expenses of the association.

2563 2. Elections, including election and voting requirements  
2564 under s. 718.112(2)(b) and (d), recall of board members under s.  
2565 718.112(2)(1), electronic voting under s. 718.128, and elections  
2566 that occur during an emergency under s. 718.1265(1)(a).  
2567 ~~financial issues, elections, and~~

2568 3. The maintenance of and unit owner access to association  
2569 records under s. 718.111(12).

2570 4. The procedural aspects of meetings, including unit  
2571 owner meetings, quorums, voting requirements, proxies, board of  
2572 administration meetings, and budget meetings under s.  
2573 718.112(2).

2574 5. The disclosure of conflicts of interest under ss.  
2575 718.111(1)(a) and 718.3027, including limitations contained in

2576 s. 718.111(3)(f).

2577 6. The removal of a board director or officer under ss.  
 2578 718.111(1)(a) and (15) and 718.112(2)(p) and (q).~~—and~~

2579 7. The procedural completion of structural integrity  
 2580 reserve studies under s. 718.112(2)(g).

2581 8. Any written inquiries by unit owners to the association  
 2582 relating to such matters, including written inquiries under s.  
 2583 718.112(2)(a)2.

2584 (b)1.~~(a)1.~~ The division may make necessary public or  
 2585 private investigations within or outside this state to determine  
 2586 whether any person has violated this chapter or any rule or  
 2587 order hereunder, to aid in the enforcement of this chapter, or  
 2588 to aid in the adoption of rules or forms.

2589 2. The division may submit any official written report,  
 2590 worksheet, or other related paper, or a duly certified copy  
 2591 thereof, compiled, prepared, drafted, or otherwise made by and  
 2592 duly authenticated by a financial examiner or analyst to be  
 2593 admitted as competent evidence in any hearing in which the  
 2594 financial examiner or analyst is available for cross-examination  
 2595 and attests under oath that such documents were prepared as a  
 2596 result of an examination or inspection conducted pursuant to  
 2597 this chapter.

2598 (c)~~(b)~~ The division may require or permit any person to  
 2599 file a statement in writing, under oath or otherwise, as the  
 2600 division determines, as to the facts and circumstances



2601 concerning a matter to be investigated.

2602       (d)~~(e)~~ For the purpose of any investigation under this  
2603 chapter, the division director or any officer or employee  
2604 designated by the division director may administer oaths or  
2605 affirmations, subpoena witnesses and compel their attendance,  
2606 take evidence, and require the production of any matter which is  
2607 relevant to the investigation, including the existence,  
2608 description, nature, custody, condition, and location of any  
2609 books, documents, or other tangible things and the identity and  
2610 location of persons having knowledge of relevant facts or any  
2611 other matter reasonably calculated to lead to the discovery of  
2612 material evidence. Upon the failure by a person to obey a  
2613 subpoena or to answer questions propounded by the investigating  
2614 officer and upon reasonable notice to all affected persons, the  
2615 division may apply to the circuit court for an order compelling  
2616 compliance.

2617       (e)~~(d)~~ Notwithstanding any remedies available to unit  
2618 owners and associations, if the division has reasonable cause to  
2619 believe that a violation of any provision of this chapter or  
2620 related rule has occurred, the division may institute  
2621 enforcement proceedings in its own name against any developer,  
2622 bulk assignee, bulk buyer, association, officer, or member of  
2623 the board of administration, or its assignees or agents, as  
2624 follows:

2625           1. The division may permit a person whose conduct or

2626 actions may be under investigation to waive formal proceedings  
2627 and enter into a consent proceeding whereby orders, rules, or  
2628 letters of censure or warning, whether formal or informal, may  
2629 be entered against the person.

2630 2. The division may issue an order requiring the  
2631 developer, bulk assignee, bulk buyer, association, developer-  
2632 designated officer, or developer-designated member of the board  
2633 of administration, developer-designated assignees or agents,  
2634 bulk assignee-designated assignees or agents, bulk buyer-  
2635 designated assignees or agents, community association manager,  
2636 or community association management firm to cease and desist  
2637 from the unlawful practice and take such affirmative action as  
2638 in the judgment of the division carry out the purposes of this  
2639 chapter. If the division finds that a developer, bulk assignee,  
2640 bulk buyer, association, officer, or member of the board of  
2641 administration, or its assignees or agents, is violating or is  
2642 about to violate any provision of this chapter, any rule adopted  
2643 or order issued by the division, or any written agreement  
2644 entered into with the division, and presents an immediate danger  
2645 to the public requiring an immediate final order, it may issue  
2646 an emergency cease and desist order reciting with particularity  
2647 the facts underlying such findings. The emergency cease and  
2648 desist order is effective for 90 days. If the division begins  
2649 nonemergency cease and desist proceedings, the emergency cease  
2650 and desist order remains effective until the conclusion of the

2651 proceedings under ss. 120.569 and 120.57.

2652         3. If a developer, bulk assignee, or bulk buyer fails to  
2653 pay any restitution determined by the division to be owed, plus  
2654 any accrued interest at the highest rate permitted by law,  
2655 within 30 days after expiration of any appellate time period of  
2656 a final order requiring payment of restitution or the conclusion  
2657 of any appeal thereof, whichever is later, the division must  
2658 bring an action in circuit or county court on behalf of any  
2659 association, class of unit owners, lessees, or purchasers for  
2660 restitution, declaratory relief, injunctive relief, or any other  
2661 available remedy. The division may also temporarily revoke its  
2662 acceptance of the filing for the developer to which the  
2663 restitution relates until payment of restitution is made.

2664         4. The division may petition the court for appointment of  
2665 a receiver or conservator. If appointed, the receiver or  
2666 conservator may take action to implement the court order to  
2667 ensure the performance of the order and to remedy any breach  
2668 thereof. In addition to all other means provided by law for the  
2669 enforcement of an injunction or temporary restraining order, the  
2670 circuit court may impound or sequester the property of a party  
2671 defendant, including books, papers, documents, and related  
2672 records, and allow the examination and use of the property by  
2673 the division and a court-appointed receiver or conservator.

2674         5. The division may apply to the circuit court for an  
2675 order of restitution whereby the defendant in an action brought

2676 | under subparagraph 4. is ordered to make restitution of those  
2677 | sums shown by the division to have been obtained by the  
2678 | defendant in violation of this chapter. At the option of the  
2679 | court, such restitution is payable to the conservator or  
2680 | receiver appointed under subparagraph 4. or directly to the  
2681 | persons whose funds or assets were obtained in violation of this  
2682 | chapter.

2683 |         6. The division may impose a civil penalty against a  
2684 | developer, bulk assignee, or bulk buyer, or association, or its  
2685 | assignee or agent, for any violation of this chapter or related  
2686 | rule. The division may impose a civil penalty individually  
2687 | against an officer or board member who willfully and knowingly  
2688 | violates this chapter, an adopted rule, or a final order of the  
2689 | division; may order the removal of such individual as an officer  
2690 | or from the board of administration or as an officer of the  
2691 | association; and may prohibit such individual from serving as an  
2692 | officer or on the board of a community association for a period  
2693 | of time. The term "willfully and knowingly" means that the  
2694 | division informed the officer or board member that his or her  
2695 | action or intended action violates this chapter, a rule adopted  
2696 | under this chapter, or a final order of the division and that  
2697 | the officer or board member refused to comply with the  
2698 | requirements of this chapter, a rule adopted under this chapter,  
2699 | or a final order of the division. The division, before  
2700 | initiating formal agency action under chapter 120, must afford

2701 the officer or board member an opportunity to voluntarily  
2702 comply, and an officer or board member who complies within 10  
2703 days is not subject to a civil penalty. A penalty may be imposed  
2704 on the basis of each day of continuing violation, but the  
2705 penalty for any offense may not exceed \$5,000. The division  
2706 shall adopt, by rule, penalty guidelines applicable to possible  
2707 violations or to categories of violations of this chapter or  
2708 rules adopted by the division. The guidelines must specify a  
2709 meaningful range of civil penalties for each such violation of  
2710 the statute and rules and must be based upon the harm caused by  
2711 the violation, upon the repetition of the violation, and upon  
2712 such other factors deemed relevant by the division. For example,  
2713 the division may consider whether the violations were committed  
2714 by a developer, bulk assignee, or bulk buyer, or owner-  
2715 controlled association, the size of the association, and other  
2716 factors. The guidelines must designate the possible mitigating  
2717 or aggravating circumstances that justify a departure from the  
2718 range of penalties provided by the rules. It is the legislative  
2719 intent that minor violations be distinguished from those which  
2720 endanger the health, safety, or welfare of the condominium  
2721 residents or other persons and that such guidelines provide  
2722 reasonable and meaningful notice to the public of likely  
2723 penalties that may be imposed for proscribed conduct. This  
2724 subsection does not limit the ability of the division to  
2725 informally dispose of administrative actions or complaints by

2726 stipulation, agreed settlement, or consent order. All amounts  
2727 collected shall be deposited with the Chief Financial Officer to  
2728 the credit of the Division of Florida Condominiums, Timeshares,  
2729 and Mobile Homes Trust Fund. If a developer, bulk assignee, or  
2730 bulk buyer fails to pay the civil penalty and the amount deemed  
2731 to be owed to the association, the division shall issue an order  
2732 directing that such developer, bulk assignee, or bulk buyer  
2733 cease and desist from further operation until such time as the  
2734 civil penalty is paid or may pursue enforcement of the penalty  
2735 in a court of competent jurisdiction. If an association fails to  
2736 pay the civil penalty, the division shall pursue enforcement in  
2737 a court of competent jurisdiction, and the order imposing the  
2738 civil penalty or the cease and desist order is not effective  
2739 until 20 days after the date of such order. Any action commenced  
2740 by the division shall be brought in the county in which the  
2741 division has its executive offices or in the county in which  
2742 ~~where~~ the violation occurred.

2743         7. If a unit owner presents the division with proof that  
2744 the unit owner has requested access to official records in  
2745 writing by certified mail, and that after 10 days the unit owner  
2746 again made the same request for access to official records in  
2747 writing by certified mail, and that more than 10 days has  
2748 elapsed since the second request and the association has still  
2749 failed or refused to provide access to official records as  
2750 required by this chapter, the division shall issue a subpoena

2751 requiring production of the requested records at the location in  
2752 which ~~where~~ the records are kept pursuant to s. 718.112. Upon  
2753 receipt of the records, the division must provide to the unit  
2754 owner who was denied access to such records the produced  
2755 official records without charge.

2756 8. In addition to subparagraph 6., the division may seek  
2757 the imposition of a civil penalty through the circuit court for  
2758 any violation for which the division may issue a notice to show  
2759 cause under paragraph (t) ~~(r)~~. The civil penalty shall be at  
2760 least \$500 but no more than \$5,000 for each violation. The court  
2761 may also award to the prevailing party court costs and  
2762 reasonable attorney fees and, if the division prevails, may also  
2763 award reasonable costs of investigation.

2764 9. The division may issue citations and promulgate rules  
2765 to provide for citation bases and citation procedures in  
2766 accordance with this paragraph.

2767 (f) ~~(e)~~ The division may prepare and disseminate a  
2768 prospectus and other information to assist prospective owners,  
2769 purchasers, lessees, and developers of residential condominiums  
2770 in assessing the rights, privileges, and duties pertaining  
2771 thereto.

2772 (g) ~~(f)~~ The division may adopt rules to administer and  
2773 enforce this chapter.

2774 (h) ~~(g)~~ The division shall establish procedures for  
2775 providing notice to an association and the developer, bulk

2776 assignee, or bulk buyer during the period in which the  
2777 developer, bulk assignee, or bulk buyer controls the association  
2778 if the division is considering the issuance of a declaratory  
2779 statement with respect to the declaration of condominium or any  
2780 related document governing such condominium community.

2781 (i)~~(h)~~ The division shall furnish each association that  
2782 pays the fees required by paragraph (2)(a) a copy of this  
2783 chapter, as amended, and the rules adopted thereto on an annual  
2784 basis.

2785 (j)~~(i)~~ The division shall annually provide each  
2786 association with a summary of declaratory statements and formal  
2787 legal opinions relating to the operations of condominiums which  
2788 were rendered by the division during the previous year.

2789 (k)~~(j)~~ The division shall provide training and educational  
2790 programs for condominium association board members and unit  
2791 owners. The training may, in the division's discretion, include  
2792 web-based electronic media and live training and seminars in  
2793 various locations throughout the state. The division may review  
2794 and approve education and training programs for board members  
2795 and unit owners offered by providers and shall maintain a  
2796 current list of approved programs and providers and make such  
2797 list available to board members and unit owners in a reasonable  
2798 and cost-effective manner. The division shall provide the  
2799 division-approved provider with the template certificate for  
2800 issuance directly to the association's board of directors who



2801 have satisfactorily completed the requirements under s.  
2802 718.112(2)(d). The division shall adopt rules to implement this  
2803 section.

2804 (l)~~(k)~~ The division shall maintain a toll-free telephone  
2805 number accessible to condominium unit owners.

2806 (m)~~(l)~~ The division shall develop a program to certify  
2807 both volunteer and paid mediators to provide mediation of  
2808 condominium disputes. The division shall provide, upon request,  
2809 a list of such mediators to any association, unit owner, or  
2810 other participant in alternative dispute resolution proceedings  
2811 under s. 718.1255 requesting a copy of the list. The division  
2812 shall include on the list of volunteer mediators only the names  
2813 of persons who have received at least 20 hours of training in  
2814 mediation techniques or who have mediated at least 20 disputes.  
2815 In order to become initially certified by the division, paid  
2816 mediators must be certified by the Supreme Court to mediate  
2817 court cases in county or circuit courts. However, the division  
2818 may adopt, by rule, additional factors for the certification of  
2819 paid mediators, which must be related to experience, education,  
2820 or background. Any person initially certified as a paid mediator  
2821 by the division must, in order to continue to be certified,  
2822 comply with the factors or requirements adopted by rule.

2823 (n)~~(m)~~ If a complaint is made, the division must conduct  
2824 its inquiry with due regard for the interests of the affected  
2825 parties. Within 30 days after receipt of a complaint, the

2826 | division shall acknowledge the complaint in writing and notify  
2827 | the complainant whether the complaint is within the jurisdiction  
2828 | of the division and whether additional information is needed by  
2829 | the division from the complainant. The division shall conduct  
2830 | its investigation and, within 90 days after receipt of the  
2831 | original complaint or of timely requested additional  
2832 | information, take action upon the complaint. However, the  
2833 | failure to complete the investigation within 90 days does not  
2834 | prevent the division from continuing the investigation,  
2835 | accepting or considering evidence obtained or received after 90  
2836 | days, or taking administrative action if reasonable cause exists  
2837 | to believe that a violation of this chapter or a rule has  
2838 | occurred. If an investigation is not completed within the time  
2839 | limits established in this paragraph, the division shall, on a  
2840 | monthly basis, notify the complainant in writing of the status  
2841 | of the investigation. When reporting its action to the  
2842 | complainant, the division shall inform the complainant of any  
2843 | right to a hearing under ss. 120.569 and 120.57. The division  
2844 | may adopt rules regarding the submission of a complaint against  
2845 | an association.

2846 |       (o)~~(n)~~ Condominium association directors, officers, and  
2847 | employees; condominium developers; bulk assignees, bulk buyers,  
2848 | and community association managers; and community association  
2849 | management firms have an ongoing duty to reasonably cooperate  
2850 | with the division in any investigation under this section. The

2851 | division shall refer to local law enforcement authorities any  
 2852 | person whom the division believes has altered, destroyed,  
 2853 | concealed, or removed any record, document, or thing required to  
 2854 | be kept or maintained by this chapter with the purpose to impair  
 2855 | its verity or availability in the department's investigation.  
 2856 | The division shall refer to local law enforcement authorities  
 2857 | any person whom the division believes has engaged in fraud,  
 2858 | theft, embezzlement, or other criminal activity or when the  
 2859 | division has cause to believe that fraud, theft, embezzlement,  
 2860 | or other criminal activity has occurred.

2861 |       (p) The division director or any officer or employee of  
 2862 | the division and the condominium ombudsman or any employee of  
 2863 | the Office of the Condominium Ombudsman may attend and observe  
 2864 | any meeting of the board of administration or any unit owner  
 2865 | meeting, including any meeting of a subcommittee or special  
 2866 | committee, which is open to members of the association for the  
 2867 | purpose of performing the duties of the division or the Office  
 2868 | of the Condominium Ombudsman under this chapter.

2869 |       (q)~~(o)~~ The division may:

- 2870 |           1. Contract with agencies in this state or other
- 2871 |           jurisdictions to perform investigative functions; or
- 2872 |           2. Accept grants-in-aid from any source.

2873 |       (r)~~(p)~~ The division shall cooperate with similar agencies  
 2874 | in other jurisdictions to establish uniform filing procedures  
 2875 | and forms, public offering statements, advertising standards,

2876 and rules and common administrative practices.

2877 (s)~~(q)~~ The division shall consider notice to a developer,  
2878 bulk assignee, or bulk buyer to be complete when it is delivered  
2879 to the address of the developer, bulk assignee, or bulk buyer  
2880 currently on file with the division.

2881 (t)~~(r)~~ In addition to its enforcement authority, the  
2882 division may issue a notice to show cause, which must provide  
2883 for a hearing, upon written request, in accordance with chapter  
2884 120.

2885 (u) If the division receives a complaint regarding access  
2886 to official records on the association's website or through an  
2887 application that can be downloaded on a mobile device under s.  
2888 718.111(12)(g), the division may request access to the  
2889 association's website or application and investigate. The  
2890 division may adopt rules to carry out this paragraph.

2891 (v)~~(s)~~ The division shall submit to the Governor, the  
2892 President of the Senate, the Speaker of the House of  
2893 Representatives, and the chairs of the legislative  
2894 appropriations committees an annual report that includes, but  
2895 need not be limited to, the number of training programs provided  
2896 for condominium association board members and unit owners, the  
2897 number of complaints received by type, the number and percent of  
2898 complaints acknowledged in writing within 30 days and the number  
2899 and percent of investigations acted upon within 90 days in  
2900 accordance with paragraph (n) ~~(m)~~, and the number of

2901 investigations exceeding the 90-day requirement. The annual  
2902 report must also include an evaluation of the division's core  
2903 business processes and make recommendations for improvements,  
2904 including statutory changes. After December 31, 2024, the  
2905 division must include a list of the associations that have  
2906 completed the structural integrity reserve study required under  
2907 s. 718.112(2)(g). The report shall be submitted by September 30  
2908 following the end of the fiscal year.

2909 (2)(a) Each condominium association that ~~which~~ operates  
2910 more than two units shall pay to the division an annual fee in  
2911 the amount of \$4 for each residential unit in condominiums  
2912 operated by the association. If the fee is not paid by March 1,  
2913 the association shall be assessed a penalty of 10 percent of the  
2914 amount due, and the association will not have standing to  
2915 maintain or defend any action in the courts of this state until  
2916 the amount due, plus any penalty, is paid.

2917 (b) All fees shall be deposited in the Division of Florida  
2918 Condominiums, Timeshares, and Mobile Homes Trust Fund as  
2919 provided by law.

2920 (c) On the certification form provided by the division,  
2921 the directors of the association shall certify that each  
2922 director of the association has completed the written  
2923 certification and educational certificate requirements in s.  
2924 718.112(2)(d)4.b. This certification requirement does not apply  
2925 to the directors of an association governing a timeshare

2926 | condominium.

2927 |       Section 22. Subsection (2) of section 718.5011, Florida  
2928 | Statutes, is amended to read:

2929 |       718.5011 Ombudsman; appointment; administration.—

2930 |       (2) The secretary of the Department of Business and  
2931 | Professional Regulation ~~Governor~~ shall appoint the ombudsman.  
2932 | The ombudsman ~~must be an attorney admitted to practice before~~  
2933 | ~~the Florida Supreme Court and~~ shall serve at the pleasure of the  
2934 | Governor. A vacancy in the office shall be filled in the same  
2935 | manner as the original appointment. An officer or full-time  
2936 | employee of the ombudsman's office may not actively engage in  
2937 | any other business or profession that directly or indirectly  
2938 | relates to or conflicts with his or her work in the ombudsman's  
2939 | office; serve as the representative of any political party,  
2940 | executive committee, or other governing body of a political  
2941 | party; serve as an executive, officer, or employee of a  
2942 | political party; receive remuneration for activities on behalf  
2943 | of any candidate for public office; or engage in soliciting  
2944 | votes or other activities on behalf of a candidate for public  
2945 | office. The ombudsman or any employee of his or her office may  
2946 | not become a candidate for election to public office unless he  
2947 | or she first resigns from his or her office or employment.

2948 |       Section 23. Effective October 1, 2024, paragraphs (a) and  
2949 | (d) of subsection (2) and subsection (3) of section 718.503,  
2950 | Florida Statutes, are amended to read:

2951           718.503 Developer disclosure prior to sale; nondeveloper  
 2952 unit owner disclosure prior to sale; voidability.—  
 2953           (2) NONDEVELOPER DISCLOSURE.—  
 2954           (a) Each unit owner who is not a developer as defined by  
 2955 this chapter must comply with this subsection before the sale of  
 2956 his or her unit. Each prospective purchaser who has entered into  
 2957 a contract for the purchase of a condominium unit is entitled,  
 2958 at the seller's expense, to a current copy of all of the  
 2959 following:  
 2960           1. The declaration of condominium.  
 2961           2. Articles of incorporation of the association.  
 2962           3. Bylaws and rules of the association.  
 2963           4. An annual financial statement and annual budget of the  
 2964 condominium association ~~Financial information required by s.~~  
 2965 ~~718.111.~~  
 2966           5. A copy of the inspector-prepared summary of the  
 2967 milestone inspection report as described in s. 553.899, if  
 2968 applicable.  
 2969           6. The association's most recent structural integrity  
 2970 reserve study or a statement that the association has not  
 2971 completed a structural integrity reserve study.  
 2972           7. A copy of the inspection report described in s.  
 2973 718.301(4)(p) and (q) for a turnover inspection performed on or  
 2974 after July 1, 2023.  
 2975           8. The document entitled "Frequently Asked Questions and

2976 | Answers" required by s. 718.504.

2977 |         (d) Each contract entered into after July 1, 1992, for the  
2978 | resale of a residential unit shall contain in conspicuous type  
2979 | either:

2980 |             1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES  
2981 | THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE DECLARATION  
2982 | OF CONDOMINIUM, ARTICLES OF INCORPORATION OF THE ASSOCIATION,  
2983 | BYLAWS AND RULES OF THE ASSOCIATION, ~~AND~~ A COPY OF THE MOST  
2984 | RECENT ANNUAL FINANCIAL STATEMENT AND ANNUAL BUDGET, YEAR-END  
2985 | ~~FINANCIAL INFORMATION~~ AND FREQUENTLY ASKED QUESTIONS AND ANSWERS  
2986 | DOCUMENT MORE THAN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND  
2987 | LEGAL HOLIDAYS, PRIOR TO EXECUTION OF THIS CONTRACT; or

2988 |             2. A clause which states: THIS AGREEMENT IS VOIDABLE BY  
2989 | BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO  
2990 | CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL  
2991 | HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
2992 | BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE DECLARATION  
2993 | OF CONDOMINIUM, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF  
2994 | THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL  
2995 | STATEMENT AND ANNUAL BUDGET, AND A COPY OF THE MOST RECENT YEAR-  
2996 | ~~END FINANCIAL INFORMATION~~ AND FREQUENTLY ASKED QUESTIONS AND  
2997 | ANSWERS DOCUMENT IF SO REQUESTED IN WRITING. ANY PURPORTED  
2998 | WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
2999 | MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 3  
3000 | DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER



3001 THE BUYER RECEIVES THE DECLARATION, ARTICLES OF INCORPORATION,  
3002 BYLAWS AND RULES OF THE ASSOCIATION, AND A COPY OF THE MOST  
3003 RECENT YEAR-END FINANCIAL INFORMATION AND FREQUENTLY ASKED  
3004 QUESTIONS AND ANSWERS DOCUMENT IF REQUESTED IN WRITING. BUYER'S  
3005 RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

3006  
3007 A contract that does not conform to the requirements of this  
3008 paragraph is voidable at the option of the purchaser prior to  
3009 closing.

3010 (3) OTHER DISCLOSURES ~~DISCLOSURE~~.—

3011 (a) If residential condominium parcels are offered for  
3012 sale or lease prior to completion of construction of the units  
3013 and of improvements to the common elements, or prior to  
3014 completion of remodeling of previously occupied buildings, the  
3015 developer must ~~shall~~ make available to each prospective  
3016 purchaser or lessee, for his or her inspection at a place  
3017 convenient to the site, a copy of the complete plans and  
3018 specifications for the construction or remodeling of the unit  
3019 offered to him or her and of the improvements to the common  
3020 elements appurtenant to the unit.

3021 (b) Sales brochures, if any, must ~~shall~~ be provided to  
3022 each purchaser, and the following caveat in conspicuous type  
3023 must ~~shall~~ be placed on the inside front cover or on the first  
3024 page containing text material of the sales brochure, or  
3025 otherwise conspicuously displayed: "ORAL REPRESENTATIONS CANNOT

3026 BE RELIED UPON AS CORRECTLY STATING REPRESENTATIONS OF THE  
3027 DEVELOPER. FOR CORRECT REPRESENTATIONS, MAKE REFERENCE TO THIS  
3028 BROCHURE AND TO THE DOCUMENTS REQUIRED BY SECTION 718.503,  
3029 FLORIDA STATUTES, TO BE FURNISHED BY A DEVELOPER TO A BUYER OR  
3030 LESSEE." If timeshare estates have been or may be created with  
3031 respect to any unit in the condominium, the sales brochure must  
3032 ~~shall~~ contain the following statement in conspicuous type:  
3033 "UNITS IN THIS CONDOMINIUM ARE SUBJECT TO TIMESHARE ESTATES."

3034 (c) If a unit is located within a condominium that is  
3035 created within a portion of a building or within a multiple  
3036 parcel building, the developer or nondeveloper unit owner must  
3037 provide the disclosures required by s. 718.407(5).

3038 Section 24. Effective October 1, 2024, section 718.504,  
3039 Florida Statutes, is amended to read:

3040 718.504 Prospectus or offering circular.—Every developer  
3041 of a residential condominium which contains more than 20  
3042 residential units, or which is part of a group of residential  
3043 condominiums which will be served by property to be used in  
3044 common by unit owners of more than 20 residential units, shall  
3045 prepare a prospectus or offering circular and file it with the  
3046 Division of Florida Condominiums, Timeshares, and Mobile Homes  
3047 prior to entering into an enforceable contract of purchase and  
3048 sale of any unit or lease of a unit for more than 5 years and  
3049 shall furnish a copy of the prospectus or offering circular to  
3050 each buyer. In addition to the prospectus or offering circular,

3051 each buyer shall be furnished a separate page entitled  
3052 "Frequently Asked Questions and Answers," which shall be in  
3053 accordance with a format approved by the division and a copy of  
3054 the financial information required by s. 718.111. This page  
3055 shall, in readable language, inform prospective purchasers  
3056 regarding their voting rights and unit use restrictions,  
3057 including restrictions on the leasing of a unit; shall indicate  
3058 whether and in what amount the unit owners or the association is  
3059 obligated to pay rent or land use fees for recreational or other  
3060 commonly used facilities; shall contain a statement identifying  
3061 that amount of assessment which, pursuant to the budget, would  
3062 be levied upon each unit type, exclusive of any special  
3063 assessments, and which shall further identify the basis upon  
3064 which assessments are levied, whether monthly, quarterly, or  
3065 otherwise; shall state and identify any court cases in which the  
3066 association is currently a party of record in which the  
3067 association may face liability in excess of \$100,000; shall  
3068 state whether the condominium is created within a portion of a  
3069 building or within a multiple parcel building; and which shall  
3070 further state whether membership in a recreational facilities  
3071 association is mandatory, and if so, shall identify the fees  
3072 currently charged per unit type. The division shall by rule  
3073 require such other disclosure as in its judgment will assist  
3074 prospective purchasers. The prospectus or offering circular may  
3075 include more than one condominium, although not all such units

3076 are being offered for sale as of the date of the prospectus or  
 3077 offering circular. The prospectus or offering circular must  
 3078 contain the following information:

3079 (1) The front cover or the first page must contain only:

3080 (a) The name of the condominium.

3081 (b) The following statements in conspicuous type:

3082 1. THIS PROSPECTUS (OFFERING CIRCULAR) CONTAINS IMPORTANT  
 3083 MATTERS TO BE CONSIDERED IN ACQUIRING A CONDOMINIUM UNIT.

3084 2. THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN  
 3085 NATURE. A PROSPECTIVE PURCHASER SHOULD REFER TO ALL REFERENCES,  
 3086 ALL EXHIBITS HERETO, THE CONTRACT DOCUMENTS, AND SALES  
 3087 MATERIALS.

3088 3. ORAL REPRESENTATIONS CANNOT BE RELIED UPON AS CORRECTLY  
 3089 STATING THE REPRESENTATIONS OF THE DEVELOPER. REFER TO THIS  
 3090 PROSPECTUS (OFFERING CIRCULAR) AND ITS EXHIBITS FOR CORRECT  
 3091 REPRESENTATIONS.

3092 (2) Summary: The next page must contain all statements  
 3093 required to be in conspicuous type in the prospectus or offering  
 3094 circular.

3095 (3) A separate index of the contents and exhibits of the  
 3096 prospectus.

3097 (4) Beginning on the first page of the text (not including  
 3098 the summary and index), a description of the condominium,  
 3099 including, but not limited to, the following information:

3100 (a) Its name and location.

3101 (b) A description of the condominium property, including,  
 3102 without limitation:

3103 1. The number of buildings, the number of units in each  
 3104 building, the number of bathrooms and bedrooms in each unit, and  
 3105 the total number of units, if the condominium is not a phase  
 3106 condominium, or the maximum number of buildings that may be  
 3107 contained within the condominium, the minimum and maximum  
 3108 numbers of units in each building, the minimum and maximum  
 3109 numbers of bathrooms and bedrooms that may be contained in each  
 3110 unit, and the maximum number of units that may be contained  
 3111 within the condominium, if the condominium is a phase  
 3112 condominium.

3113 2. The page in the condominium documents where a copy of  
 3114 the plot plan and survey of the condominium is located.

3115 3. The estimated latest date of completion of  
 3116 constructing, finishing, and equipping. In lieu of a date, the  
 3117 description shall include a statement that the estimated date of  
 3118 completion of the condominium is in the purchase agreement and a  
 3119 reference to the article or paragraph containing that  
 3120 information.

3121 (c) The maximum number of units that will use facilities  
 3122 in common with the condominium. If the maximum number of units  
 3123 will vary, a description of the basis for variation and the  
 3124 minimum amount of dollars per unit to be spent for additional  
 3125 recreational facilities or enlargement of such facilities. If

3126 | the addition or enlargement of facilities will result in a  
 3127 | material increase of a unit owner's maintenance expense or  
 3128 | rental expense, if any, the maximum increase and limitations  
 3129 | thereon shall be stated.

3130 |         (5) (a) A statement in conspicuous type describing whether  
 3131 | the condominium is created and being sold as fee simple  
 3132 | interests or as leasehold interests. If the condominium is  
 3133 | created or being sold on a leasehold, the location of the lease  
 3134 | in the disclosure materials shall be stated.

3135 |         (b) If timeshare estates are or may be created with  
 3136 | respect to any unit in the condominium, a statement in  
 3137 | conspicuous type stating that timeshare estates are created and  
 3138 | being sold in units in the condominium.

3139 |         (6) A description of the recreational and other commonly  
 3140 | used facilities that will be used only by unit owners of the  
 3141 | condominium, including, but not limited to, the following:

3142 |             (a) Each room and its intended purposes, location,  
 3143 | approximate floor area, and capacity in numbers of people.

3144 |             (b) Each swimming pool, as to its general location,  
 3145 | approximate size and depths, approximate deck size and capacity,  
 3146 | and whether heated.

3147 |             (c) Additional facilities, as to the number of each  
 3148 | facility, its approximate location, approximate size, and  
 3149 | approximate capacity.

3150 |             (d) A general description of the items of personal

3151 property and the approximate number of each item of personal  
3152 property that the developer is committing to furnish for each  
3153 room or other facility or, in the alternative, a representation  
3154 as to the minimum amount of expenditure that will be made to  
3155 purchase the personal property for the facility.

3156 (e) The estimated date when each room or other facility  
3157 will be available for use by the unit owners.

3158 (f)1. An identification of each room or other facility to  
3159 be used by unit owners that will not be owned by the unit owners  
3160 or the association;

3161 2. A reference to the location in the disclosure materials  
3162 of the lease or other agreements providing for the use of those  
3163 facilities; and

3164 3. A description of the terms of the lease or other  
3165 agreements, including the length of the term; the rent payable,  
3166 directly or indirectly, by each unit owner, and the total rent  
3167 payable to the lessor, stated in monthly and annual amounts for  
3168 the entire term of the lease; and a description of any option to  
3169 purchase the property leased under any such lease, including the  
3170 time the option may be exercised, the purchase price or how it  
3171 is to be determined, the manner of payment, and whether the  
3172 option may be exercised for a unit owner's share or only as to  
3173 the entire leased property.

3174 (g) A statement as to whether the developer may provide  
3175 additional facilities not described above; their general

3176 | locations and types; improvements or changes that may be made;  
3177 | the approximate dollar amount to be expended; and the maximum  
3178 | additional common expense or cost to the individual unit owners  
3179 | that may be charged during the first annual period of operation  
3180 | of the modified or added facilities.

3181 |  
3182 | Descriptions as to locations, areas, capacities, numbers,  
3183 | volumes, or sizes may be stated as approximations or minimums.

3184 |       (7) A description of the recreational and other facilities  
3185 | that will be used in common with other condominiums, community  
3186 | associations, or planned developments which require the payment  
3187 | of the maintenance and expenses of such facilities, directly or  
3188 | indirectly, by the unit owners. The description shall include,  
3189 | but not be limited to, the following:

3190 |       (a) Each building and facility committed to be built and a  
3191 | summary description of the structural integrity of each building  
3192 | for which reserves are required pursuant to s. 718.112(2)(g).

3193 |       (b) Facilities not committed to be built except under  
3194 | certain conditions, and a statement of those conditions or  
3195 | contingencies.

3196 |       (c) As to each facility committed to be built, or which  
3197 | will be committed to be built upon the happening of one of the  
3198 | conditions in paragraph (b), a statement of whether it will be  
3199 | owned by the unit owners having the use thereof or by an  
3200 | association or other entity which will be controlled by them, or



3201 others, and the location in the exhibits of the lease or other  
 3202 document providing for use of those facilities.

3203 (d) The year in which each facility will be available for  
 3204 use by the unit owners or, in the alternative, the maximum  
 3205 number of unit owners in the project at the time each of all of  
 3206 the facilities is committed to be completed.

3207 (e) A general description of the items of personal  
 3208 property, and the approximate number of each item of personal  
 3209 property, that the developer is committing to furnish for each  
 3210 room or other facility or, in the alternative, a representation  
 3211 as to the minimum amount of expenditure that will be made to  
 3212 purchase the personal property for the facility.

3213 (f) If there are leases, a description thereof, including  
 3214 the length of the term, the rent payable, and a description of  
 3215 any option to purchase.

3216  
 3217 Descriptions shall include location, areas, capacities, numbers,  
 3218 volumes, or sizes and may be stated as approximations or  
 3219 minimums.

3220 (8) Recreation lease or associated club membership:

3221 (a) If any recreational facilities or other facilities  
 3222 offered by the developer and available to, or to be used by,  
 3223 unit owners are to be leased or have club membership associated,  
 3224 the following statement in conspicuous type shall be included:

3225 "THERE IS A RECREATIONAL FACILITIES LEASE ASSOCIATED WITH THIS

3226 CONDOMINIUM; or, THERE IS A CLUB MEMBERSHIP ASSOCIATED WITH THIS  
3227 CONDOMINIUM." There shall be a reference to the location in the  
3228 disclosure materials where the recreation lease or club  
3229 membership is described in detail.

3230 (b) If it is mandatory that unit owners pay a fee, rent,  
3231 dues, or other charges under a recreational facilities lease or  
3232 club membership for the use of facilities, there shall be in  
3233 conspicuous type the applicable statement:

3234 1. MEMBERSHIP IN THE RECREATIONAL FACILITIES CLUB IS  
3235 MANDATORY FOR UNIT OWNERS; or

3236 2. UNIT OWNERS ARE REQUIRED, AS A CONDITION OF OWNERSHIP,  
3237 TO BE LESSEES UNDER THE RECREATIONAL FACILITIES LEASE; or

3238 3. UNIT OWNERS ARE REQUIRED TO PAY THEIR SHARE OF THE  
3239 COSTS AND EXPENSES OF MAINTENANCE, MANAGEMENT, UPKEEP,  
3240 REPLACEMENT, RENT, AND FEES UNDER THE RECREATIONAL FACILITIES  
3241 LEASE (OR THE OTHER INSTRUMENTS PROVIDING THE FACILITIES); or

3242 4. A similar statement of the nature of the organization  
3243 or the manner in which the use rights are created, and that unit  
3244 owners are required to pay.

3245  
3246 Immediately following the applicable statement, the location in  
3247 the disclosure materials where the development is described in  
3248 detail shall be stated.

3249 (c) If the developer, or any other person other than the  
3250 unit owners and other persons having use rights in the

3251 facilities, reserves, or is entitled to receive, any rent, fee,  
 3252 or other payment for the use of the facilities, then there shall  
 3253 be the following statement in conspicuous type: "THE UNIT OWNERS  
 3254 OR THE ASSOCIATION(S) MUST PAY RENT OR LAND USE FEES FOR  
 3255 RECREATIONAL OR OTHER COMMONLY USED FACILITIES." Immediately  
 3256 following this statement, the location in the disclosure  
 3257 materials where the rent or land use fees are described in  
 3258 detail shall be stated.

3259 (d) If, in any recreation format, whether leasehold, club,  
 3260 or other, any person other than the association has the right to  
 3261 a lien on the units to secure the payment of assessments, rent,  
 3262 or other exactions, there shall appear a statement in  
 3263 conspicuous type in substantially the following form:

3264 1. THERE IS A LIEN OR LIEN RIGHT AGAINST EACH  
 3265 UNIT TO SECURE THE PAYMENT OF RENT AND OTHER EXACTIONS  
 3266 UNDER THE RECREATION LEASE. THE UNIT OWNER'S FAILURE  
 3267 TO MAKE THESE PAYMENTS MAY RESULT IN FORECLOSURE OF  
 3268 THE LIEN; or

3269 2. THERE IS A LIEN OR LIEN RIGHT AGAINST EACH  
 3270 UNIT TO SECURE THE PAYMENT OF ASSESSMENTS OR OTHER  
 3271 EXACTIONS COMING DUE FOR THE USE, MAINTENANCE, UPKEEP,  
 3272 OR REPAIR OF THE RECREATIONAL OR COMMONLY USED  
 3273 FACILITIES. THE UNIT OWNER'S FAILURE TO MAKE THESE  
 3274 PAYMENTS MAY RESULT IN FORECLOSURE OF THE LIEN.

3275

3276 Immediately following the applicable statement, the location in  
3277 the disclosure materials where the lien or lien right is  
3278 described in detail shall be stated.

3279 (9) If the developer or any other person has the right to  
3280 increase or add to the recreational facilities at any time after  
3281 the establishment of the condominium whose unit owners have use  
3282 rights therein, without the consent of the unit owners or  
3283 associations being required, there shall appear a statement in  
3284 conspicuous type in substantially the following form:

3285 "RECREATIONAL FACILITIES MAY BE EXPANDED OR ADDED WITHOUT  
3286 CONSENT OF UNIT OWNERS OR THE ASSOCIATION(S)." Immediately  
3287 following this statement, the location in the disclosure  
3288 materials where such reserved rights are described shall be  
3289 stated.

3290 (10) A statement of whether the developer's plan includes  
3291 a program of leasing units rather than selling them, or leasing  
3292 units and selling them subject to such leases. If so, there  
3293 shall be a description of the plan, including the number and  
3294 identification of the units and the provisions and term of the  
3295 proposed leases, and a statement in boldfaced type that: "THE  
3296 UNITS MAY BE TRANSFERRED SUBJECT TO A LEASE."

3297 (11) The arrangements for management of the association  
3298 and maintenance and operation of the condominium property and of  
3299 other property that will serve the unit owners of the  
3300 condominium property, and a description of the management

3301 contract and all other contracts for these purposes having a  
 3302 term in excess of 1 year, including the following:

- 3303 (a) The names of contracting parties.
- 3304 (b) The term of the contract.
- 3305 (c) The nature of the services included.
- 3306 (d) The compensation, stated on a monthly and annual  
 3307 basis, and provisions for increases in the compensation.
- 3308 (e) A reference to the volumes and pages of the  
 3309 condominium documents and of the exhibits containing copies of  
 3310 such contracts.

3311  
 3312 Copies of all described contracts shall be attached as exhibits.  
 3313 If there is a contract for the management of the condominium  
 3314 property, then a statement in conspicuous type in substantially  
 3315 the following form shall appear, identifying the proposed or  
 3316 existing contract manager: "THERE IS (IS TO BE) A CONTRACT FOR  
 3317 THE MANAGEMENT OF THE CONDOMINIUM PROPERTY WITH (NAME OF THE  
 3318 CONTRACT MANAGER)." Immediately following this statement, the  
 3319 location in the disclosure materials of the contract for  
 3320 management of the condominium property shall be stated.

3321 (12) If the developer or any other person or persons other  
 3322 than the unit owners has the right to retain control of the  
 3323 board of administration of the association for a period of time  
 3324 which can exceed 1 year after the closing of the sale of a  
 3325 majority of the units in that condominium to persons other than

3326 successors or alternate developers, then a statement in  
3327 conspicuous type in substantially the following form shall be  
3328 included: "THE DEVELOPER (OR OTHER PERSON) HAS THE RIGHT TO  
3329 RETAIN CONTROL OF THE ASSOCIATION AFTER A MAJORITY OF THE UNITS  
3330 HAVE BEEN SOLD." Immediately following this statement, the  
3331 location in the disclosure materials where this right to control  
3332 is described in detail shall be stated.

3333 (13) If there are any restrictions upon the sale,  
3334 transfer, conveyance, or leasing of a unit, then a statement in  
3335 conspicuous type in substantially the following form shall be  
3336 included: "THE SALE, LEASE, OR TRANSFER OF UNITS IS RESTRICTED  
3337 OR CONTROLLED." Immediately following this statement, the  
3338 location in the disclosure materials where the restriction,  
3339 limitation, or control on the sale, lease, or transfer of units  
3340 is described in detail shall be stated.

3341 (14) If the condominium is part of a phase project, the  
3342 following information shall be stated:

3343 (a) A statement in conspicuous type in substantially the  
3344 following form: "THIS IS A PHASE CONDOMINIUM. ADDITIONAL LAND  
3345 AND UNITS MAY BE ADDED TO THIS CONDOMINIUM." Immediately  
3346 following this statement, the location in the disclosure  
3347 materials where the phasing is described shall be stated.

3348 (b) A summary of the provisions of the declaration which  
3349 provide for the phasing.

3350 (c) A statement as to whether or not residential buildings

3351 and units which are added to the condominium may be  
 3352 substantially different from the residential buildings and units  
 3353 originally in the condominium. If the added residential  
 3354 buildings and units may be substantially different, there shall  
 3355 be a general description of the extent to which such added  
 3356 residential buildings and units may differ, and a statement in  
 3357 conspicuous type in substantially the following form shall be  
 3358 included: "BUILDINGS AND UNITS WHICH ARE ADDED TO THE  
 3359 CONDOMINIUM MAY BE SUBSTANTIALLY DIFFERENT FROM THE OTHER  
 3360 BUILDINGS AND UNITS IN THE CONDOMINIUM." Immediately following  
 3361 this statement, the location in the disclosure materials where  
 3362 the extent to which added residential buildings and units may  
 3363 substantially differ is described shall be stated.

3364 (d) A statement of the maximum number of buildings  
 3365 containing units, the maximum and minimum numbers of units in  
 3366 each building, the maximum number of units, and the minimum and  
 3367 maximum square footage of the units that may be contained within  
 3368 each parcel of land which may be added to the condominium.

3369 (15) If a condominium created on or after July 1, 2000, is  
 3370 or may become part of a multicondominium, the following  
 3371 information must be provided:

3372 (a) A statement in conspicuous type in substantially the  
 3373 following form: "THIS CONDOMINIUM IS (MAY BE) PART OF A  
 3374 MULTICONDOMINIUM DEVELOPMENT IN WHICH OTHER CONDOMINIUMS WILL  
 3375 (MAY) BE OPERATED BY THE SAME ASSOCIATION." Immediately

3376 following this statement, the location in the prospectus or  
3377 offering circular and its exhibits where the multicondominium  
3378 aspects of the offering are described must be stated.

3379 (b) A summary of the provisions in the declaration,  
3380 articles of incorporation, and bylaws which establish and  
3381 provide for the operation of the multicondominium, including a  
3382 statement as to whether unit owners in the condominium will have  
3383 the right to use recreational or other facilities located or  
3384 planned to be located in other condominiums operated by the same  
3385 association, and the manner of sharing the common expenses  
3386 related to such facilities.

3387 (c) A statement of the minimum and maximum number of  
3388 condominiums, and the minimum and maximum number of units in  
3389 each of those condominiums, which will or may be operated by the  
3390 association, and the latest date by which the exact number will  
3391 be finally determined.

3392 (d) A statement as to whether any of the condominiums in  
3393 the multicondominium may include units intended to be used for  
3394 nonresidential purposes and the purpose or purposes permitted  
3395 for such use.

3396 (e) A general description of the location and approximate  
3397 acreage of any land on which any additional condominiums to be  
3398 operated by the association may be located.

3399 (16) If the condominium is created by conversion of  
3400 existing improvements, the following information shall be



3401 stated:

3402 (a) The information required by s. 718.616.

3403 (b) A caveat that there are no express warranties unless  
3404 they are stated in writing by the developer.

3405 (17) A summary of the restrictions, if any, to be imposed  
3406 on units concerning the use of any of the condominium property,  
3407 including statements as to whether there are restrictions upon  
3408 children and pets, and reference to the volumes and pages of the  
3409 condominium documents where such restrictions are found, or if  
3410 such restrictions are contained elsewhere, then a copy of the  
3411 documents containing the restrictions shall be attached as an  
3412 exhibit.

3413 (18) If there is any land that is offered by the developer  
3414 for use by the unit owners and that is neither owned by them nor  
3415 leased to them, the association, or any entity controlled by  
3416 unit owners and other persons having the use rights to such  
3417 land, a statement shall be made as to how such land will serve  
3418 the condominium. If any part of such land will serve the  
3419 condominium, the statement shall describe the land and the  
3420 nature and term of service, and the declaration or other  
3421 instrument creating such servitude shall be included as an  
3422 exhibit.

3423 (19) The manner in which utility and other services,  
3424 including, but not limited to, sewage and waste disposal, water  
3425 supply, and storm drainage, will be provided and the person or

3426 | entity furnishing them.

3427 |         (20) An explanation of the manner in which the  
3428 | apportionment of common expenses and ownership of the common  
3429 | elements has been determined.

3430 |         (21) An estimated operating budget for the condominium and  
3431 | the association, and a schedule of the unit owner's expenses  
3432 | shall be attached as an exhibit and shall contain the following  
3433 | information:

3434 |             (a) The estimated monthly and annual expenses of the  
3435 | condominium and the association that are collected from unit  
3436 | owners by assessments.

3437 |             (b) The estimated monthly and annual expenses of each unit  
3438 | owner for a unit, other than common expenses paid by all unit  
3439 | owners, payable by the unit owner to persons or entities other  
3440 | than the association, as well as to the association, including  
3441 | fees assessed pursuant to s. 718.113(1) for maintenance of  
3442 | limited common elements where such costs are shared only by  
3443 | those entitled to use the limited common element, and the total  
3444 | estimated monthly and annual expense. There may be excluded from  
3445 | this estimate expenses which are not provided for or  
3446 | contemplated by the condominium documents, including, but not  
3447 | limited to, the costs of private telephone; maintenance of the  
3448 | interior of condominium units, which is not the obligation of  
3449 | the association; maid or janitorial services privately  
3450 | contracted for by the unit owners; utility bills billed directly

3451 to each unit owner for utility services to his or her unit;  
 3452 insurance premiums other than those incurred for policies  
 3453 obtained by the condominium; and similar personal expenses of  
 3454 the unit owner. A unit owner's estimated payments for  
 3455 assessments shall also be stated in the estimated amounts for  
 3456 the times when they will be due.

3457 (c) The estimated items of expenses of the condominium and  
 3458 the association, except as excluded under paragraph (b),  
 3459 including, but not limited to, the following items, which shall  
 3460 be stated as an association expense collectible by assessments  
 3461 or as unit owners' expenses payable to persons other than the  
 3462 association:

- 3463 1. Expenses for the association and condominium:
- 3464 a. Administration of the association.
- 3465 b. Management fees.
- 3466 c. Maintenance.
- 3467 d. Rent for recreational and other commonly used
- 3468 facilities.
- 3469 e. Taxes upon association property.
- 3470 f. Taxes upon leased areas.
- 3471 g. Insurance.
- 3472 h. Security provisions.
- 3473 i. Other expenses.
- 3474 j. Operating capital.
- 3475 k. Reserves for all applicable items referenced in s.

3476 718.112 (2) (g) .

3477 1. Fees payable to the division.

3478 2. Expenses for a unit owner:

3479 a. Rent for the unit, if subject to a lease.

3480 b. Rent payable by the unit owner directly to the lessor  
 3481 or agent under any recreational lease or lease for the use of  
 3482 commonly used facilities, which use and payment is a mandatory  
 3483 condition of ownership and is not included in the common expense  
 3484 or assessments for common maintenance paid by the unit owners to  
 3485 the association.

3486 (d) The following statement in conspicuous type:

3487  
 3488 THE BUDGET CONTAINED IN THIS OFFERING CIRCULAR HAS  
 3489 BEEN PREPARED IN ACCORDANCE WITH THE CONDOMINIUM ACT  
 3490 AND IS A GOOD FAITH ESTIMATE ONLY AND REPRESENTS AN  
 3491 APPROXIMATION OF FUTURE EXPENSES BASED ON FACTS AND  
 3492 CIRCUMSTANCES EXISTING AT THE TIME OF ITS PREPARATION.  
 3493 ACTUAL COSTS OF SUCH ITEMS MAY EXCEED THE ESTIMATED  
 3494 COSTS. SUCH CHANGES IN COST DO NOT CONSTITUTE MATERIAL  
 3495 ADVERSE CHANGES IN THE OFFERING.

3496  
 3497 (e) Each budget for an association prepared by a developer  
 3498 consistent with this subsection shall be prepared in good faith  
 3499 and shall reflect accurate estimated amounts for the required  
 3500 items in paragraph (c) at the time of the filing of the offering

3501 circular with the division, and subsequent increased amounts of  
3502 any item included in the association's estimated budget that are  
3503 beyond the control of the developer shall not be considered an  
3504 amendment that would give rise to rescission rights set forth in  
3505 s. 718.503(1)(a) or (b), nor shall such increases modify, void,  
3506 or otherwise affect any guarantee of the developer contained in  
3507 the offering circular or any purchase contract. It is the intent  
3508 of this paragraph to clarify existing law.

3509 (f) The estimated amounts shall be stated for a period of  
3510 at least 12 months and may distinguish between the period prior  
3511 to the time unit owners other than the developer elect a  
3512 majority of the board of administration and the period after  
3513 that date.

3514 (22) A schedule of estimated closing expenses to be paid  
3515 by a buyer or lessee of a unit and a statement of whether title  
3516 opinion or title insurance policy is available to the buyer and,  
3517 if so, at whose expense.

3518 (23) The identity of the developer and the chief operating  
3519 officer or principal directing the creation and sale of the  
3520 condominium and a statement of its and his or her experience in  
3521 this field.

3522 (24) Copies of the following, to the extent they are  
3523 applicable, shall be included as exhibits:

3524 (a) The declaration of condominium, or the proposed  
3525 declaration if the declaration has not been recorded.

- 3526 (b) The articles of incorporation creating the
- 3527 association.
- 3528 (c) The bylaws of the association.
- 3529 (d) The ground lease or other underlying lease of the
- 3530 condominium.
- 3531 (e) The management agreement and all maintenance and other
- 3532 contracts for management of the association and operation of the
- 3533 condominium and facilities used by the unit owners having a
- 3534 service term in excess of 1 year.
- 3535 (f) The estimated operating budget for the condominium,
- 3536 the required schedule of unit owners' expenses, and the
- 3537 association's most recent structural integrity reserve study or
- 3538 a statement that the association has not completed a structural
- 3539 integrity reserve study.
- 3540 (g) A copy of the floor plan of the unit and the plot plan
- 3541 showing the location of the residential buildings and the
- 3542 recreation and other common areas.
- 3543 (h) The lease of recreational and other facilities that
- 3544 will be used only by unit owners of the subject condominium.
- 3545 (i) The lease of facilities used by owners and others.
- 3546 (j) The form of unit lease, if the offer is of a
- 3547 leasehold.
- 3548 (k) A declaration of servitude of properties serving the
- 3549 condominium but not owned by unit owners or leased to them or
- 3550 the association.

3551 (l) The statement of condition of the existing building or  
 3552 buildings, if the offering is of units in an operation being  
 3553 converted to condominium ownership.

3554 (m) The statement of inspection for termite damage and  
 3555 treatment of the existing improvements, if the condominium is a  
 3556 conversion.

3557 (n) The form of agreement for sale or lease of units.

3558 (o) A copy of the agreement for escrow of payments made to  
 3559 the developer prior to closing.

3560 (p) A copy of the documents containing any restrictions on  
 3561 use of the property required by subsection (17).

3562 (q) A copy of the inspector-prepared summary of the  
 3563 milestone inspection report as described in ss. 553.899 and  
 3564 718.301(4)(p), as applicable.

3565 (25) Any prospectus or offering circular complying, prior  
 3566 to the effective date of this act, with the provisions of former  
 3567 ss. 711.69 and 711.802 may continue to be used without amendment  
 3568 or may be amended to comply with this chapter.

3569 (26) A brief narrative description of the location and  
 3570 effect of all existing and intended easements located or to be  
 3571 located on the condominium property other than those described  
 3572 in the declaration.

3573 (27) If the developer is required by state or local  
 3574 authorities to obtain acceptance or approval of any dock or  
 3575 marina facilities intended to serve the condominium, a copy of

3576 any such acceptance or approval acquired by the time of filing  
 3577 with the division under s. 718.502(1) or a statement that such  
 3578 acceptance or approval has not been acquired or received.

3579 (28) Evidence demonstrating that the developer has an  
 3580 ownership, leasehold, or contractual interest in the land upon  
 3581 which the condominium is to be developed.

3582 Section 25. Paragraph (k) of subsection (1) of section  
 3583 719.106, Florida Statutes, is amended to read:

3584 719.106 Bylaws; cooperative ownership.—

3585 (1) MANDATORY PROVISIONS.—The bylaws or other cooperative  
 3586 documents shall provide for the following, and if they do not,  
 3587 they shall be deemed to include the following:

3588 (k) *Structural integrity reserve study*.—

3589 1. A residential cooperative association must have a  
 3590 structural integrity reserve study completed at least every 10  
 3591 years for each building on the cooperative property that is  
 3592 three stories or higher in height, as determined by the Florida  
 3593 Building Code, that includes, at a minimum, a study of the  
 3594 following items as related to the structural integrity and  
 3595 safety of the building:

3596 a. Roof.

3597 b. Structure, including load-bearing walls and other  
 3598 primary structural members and primary structural systems as  
 3599 those terms are defined in s. 627.706.

3600 c. Fireproofing and fire protection systems.



3601 d. Plumbing.

3602 e. Electrical systems.

3603 f. Waterproofing and exterior painting.

3604 g. Windows and exterior doors.

3605 h. Any other item that has a deferred maintenance expense

3606 or replacement cost that exceeds \$10,000 and the failure to

3607 replace or maintain such item negatively affects the items

3608 listed in sub-subparagraphs a.-g., as determined by the visual

3609 inspection portion of the structural integrity reserve study.

3610 2. A structural integrity reserve study is based on a

3611 visual inspection of the cooperative property. A structural

3612 integrity reserve study may be performed by any person qualified

3613 to perform such study. However, the visual inspection portion of

3614 the structural integrity reserve study must be performed or

3615 verified by an engineer licensed under chapter 471, an architect

3616 licensed under chapter 481, or a person certified as a reserve

3617 specialist or professional reserve analyst by the Community

3618 Associations Institute or the Association of Professional

3619 Reserve Analysts.

3620 3. At a minimum, a structural integrity reserve study must

3621 identify each item of the cooperative property being visually

3622 inspected, state the estimated remaining useful life and the

3623 estimated replacement cost or deferred maintenance expense of

3624 each item of the cooperative property being visually inspected,

3625 and provide a reserve funding schedule with a recommended annual

3626 reserve amount that achieves the estimated replacement cost or  
3627 deferred maintenance expense of each item of cooperative  
3628 property being visually inspected by the end of the estimated  
3629 remaining useful life of the item. The structural integrity  
3630 reserve study may recommend that reserves do not need to be  
3631 maintained for any item for which an estimate of useful life and  
3632 an estimate of replacement cost cannot be determined, or the  
3633 study may recommend a deferred maintenance expense amount for  
3634 such item. The structural integrity reserve study may recommend  
3635 that reserves for replacement costs do not need to be maintained  
3636 for any item with an estimated remaining useful life of greater  
3637 than 25 years, but the study may recommend a deferred  
3638 maintenance expense amount for such item.

3639 4. This paragraph does not apply to buildings less than  
3640 three stories in height; single-family, two-family, or three-  
3641 family dwellings with three or fewer habitable stories above  
3642 ground; any portion or component of a building that has not been  
3643 submitted to the cooperative form of ownership; or any portion  
3644 or component of a building that is maintained by a party other  
3645 than the association.

3646 5. Before a developer turns over control of an association  
3647 to unit owners other than the developer, the developer must have  
3648 a turnover inspection report in compliance with s. 719.301(4)(p)  
3649 and (q) for each building on the cooperative property that is  
3650 three stories or higher in height.

3651           6. Associations existing on or before July 1, 2022, which  
3652 are controlled by unit owners other than the developer, must  
3653 have a structural integrity reserve study completed by December  
3654 31, 2024, for each building on the cooperative property that is  
3655 three stories or higher in height. An association that is  
3656 required to complete a milestone inspection on or before  
3657 December 31, 2026, in accordance with s. 553.899 may complete  
3658 the structural integrity reserve study simultaneously with the  
3659 milestone inspection. In no event may the structural integrity  
3660 reserve study be completed after December 31, 2026.

3661           7. If the milestone inspection required by s. 553.899, or  
3662 an inspection completed for a similar local requirement, was  
3663 performed within the past 5 years and meets the requirements of  
3664 this paragraph, such inspection may be used in place of the  
3665 visual inspection portion of the structural integrity reserve  
3666 study.

3667           8. If the officers or directors of an association  
3668 willfully and knowingly fail to complete a structural integrity  
3669 reserve study pursuant to this paragraph, such failure is a  
3670 breach of an officer's and director's fiduciary relationship to  
3671 the unit owners under s. 719.104(9).

3672           9. Within 45 days after receiving the structural integrity  
3673 reserve study, the association must distribute a copy of the  
3674 study to each unit owner or deliver to each unit owner a notice  
3675 that the completed study is available for inspection and copying

3676 upon a written request. Distribution of a copy of the study or  
3677 notice must be made by United States mail or personal delivery  
3678 at the mailing address, property address, or any other address  
3679 of the owner provided to fulfill the association's notice  
3680 requirements under this chapter, or by electronic transmission  
3681 to the e-mail address or facsimile number provided to fulfill  
3682 the association's notice requirements to unit owners who  
3683 previously consented to receive notice by electronic  
3684 transmission.

3685 10. Within 45 days after receiving the structural  
3686 integrity reserve study, the association must provide the  
3687 division with a statement indicating that the study was  
3688 completed and that the association provided or made available  
3689 such study to each unit owner in accordance with this section.  
3690 Such statement must be provided to the division in the manner  
3691 established by the division using a form posted on the  
3692 division's website.

3693 Section 26. Section 719.129, Florida Statutes, is amended  
3694 to read:

3695 719.129 Electronic voting.—The association may conduct  
3696 elections and other unit owner votes through an Internet-based  
3697 online voting system if a unit owner consents, electronically or  
3698 in writing, to online voting and if the following requirements  
3699 are met:

3700 (1) The association provides each unit owner with:

3701 (a) A method to authenticate the unit owner's identity to  
 3702 the online voting system.

3703 (b) For elections of the board, a method to transmit an  
 3704 electronic ballot to the online voting system that ensures the  
 3705 secrecy and integrity of each ballot.

3706 (c) A method to confirm, at least 14 days before the  
 3707 voting deadline, that the unit owner's electronic device can  
 3708 successfully communicate with the online voting system.

3709 (2) The association uses an online voting system that is:

3710 (a) Able to authenticate the unit owner's identity.

3711 (b) Able to authenticate the validity of each electronic  
 3712 vote to ensure that the vote is not altered in transit.

3713 (c) Able to transmit a receipt from the online voting  
 3714 system to each unit owner who casts an electronic vote.

3715 (d) For elections of the board of administration, able to  
 3716 permanently separate any authentication or identifying  
 3717 information from the electronic election ballot, rendering it  
 3718 impossible to tie an election ballot to a specific unit owner.

3719 (e) Able to store and keep electronic votes accessible to  
 3720 election officials for recount, inspection, and review purposes.

3721 (3) A unit owner voting electronically pursuant to this  
 3722 section shall be counted as being in attendance at the meeting  
 3723 for purposes of determining a quorum. A substantive vote of the  
 3724 unit owners may not be taken on any issue other than the issues  
 3725 specifically identified in the electronic vote, when a quorum is

3726 established based on unit owners voting electronically pursuant  
3727 to this section.

3728 (4) This section applies to an association that provides  
3729 for and authorizes an online voting system pursuant to this  
3730 section by a board resolution. If the board authorizes online  
3731 voting, the board must honor a unit owner's request to vote  
3732 electronically at all subsequent elections, unless such unit  
3733 owner opts out of online voting. The board resolution must  
3734 provide that unit owners receive notice of the opportunity to  
3735 vote through an online voting system, must establish reasonable  
3736 procedures and deadlines for unit owners to consent,  
3737 electronically or in writing, to online voting, and must  
3738 establish reasonable procedures and deadlines for unit owners to  
3739 opt out of online voting after giving consent. Written notice of  
3740 a meeting at which the resolution will be considered must be  
3741 mailed, delivered, or electronically transmitted to the unit  
3742 owners and posted conspicuously on the condominium property or  
3743 association property at least 14 days before the meeting.  
3744 Evidence of compliance with the 14-day notice requirement must  
3745 be made by an affidavit executed by the person providing the  
3746 notice and filed with the official records of the association.  
3747 (5) A unit owner's consent to online voting is valid until  
3748 the unit owner opts out of online voting pursuant to the  
3749 procedures established by the board of administration pursuant  
3750 to subsection (4).

3751 (6) This section may apply to any matter that requires a  
 3752 vote of the unit owners who are not members of a timeshare  
 3753 cooperative association.

3754 Section 27. Paragraph (p) of subsection (4) of section  
 3755 719.301, Florida Statutes, is amended to read:

3756 719.301 Transfer of association control.—

3757 (4) When unit owners other than the developer elect a  
 3758 majority of the members of the board of administration of an  
 3759 association, the developer shall relinquish control of the  
 3760 association, and the unit owners shall accept control.

3761 Simultaneously, or for the purpose of paragraph (c) not more  
 3762 than 90 days thereafter, the developer shall deliver to the  
 3763 association, at the developer's expense, all property of the  
 3764 unit owners and of the association held or controlled by the  
 3765 developer, including, but not limited to, the following items,  
 3766 if applicable, as to each cooperative operated by the  
 3767 association:

3768 (p) Notwithstanding when the certificate of occupancy was  
 3769 issued or the height of the building, a turnover inspection  
 3770 report included in the official records, under seal of an  
 3771 architect or engineer authorized to practice in this state or a  
 3772 person certified as a reserve specialist or professional reserve  
 3773 analyst by the Community Associations Institute or the  
 3774 Association of Professional Reserve Analysts, consisting of a  
 3775 structural integrity reserve study attesting to required

3776 maintenance, condition, useful life, and replacement costs of  
3777 the following applicable cooperative property:

- 3778 1. Roof.
- 3779 2. Structure, including load-bearing walls and primary  
3780 structural members and primary structural systems as those terms  
3781 are defined in s. 627.706.
- 3782 3. Fireproofing and fire protection systems.
- 3783 4. Plumbing.
- 3784 5. Electrical systems.
- 3785 6. Waterproofing and exterior painting.
- 3786 7. Windows and exterior doors.

3787 Section 28. The Division of Florida Condominiums,  
3788 Timeshares, and Mobile Homes of the Department of Business and  
3789 Professional Regulation shall complete a review of the website  
3790 or application requirements for official records under s.  
3791 718.111(12)(g), Florida Statutes, and make recommendations  
3792 regarding any additional official records of a condominium  
3793 association that should be included in the record maintenance  
3794 requirements in the statute. The division shall submit to the  
3795 Governor, the President of the Senate, and the Speaker of the  
3796 House of Representatives the findings of its review by January  
3797 1, 2025.

3798 Section 29. By January 1, 2025, the Division of Florida  
3799 Condominiums, Timeshares, and Mobile Homes of the Department of  
3800 Business and Professional Regulation shall create a database on



3801 its website of the associations that have reported the  
3802 completion of the structural integrity reserve study under ss.  
3803 718.112(2)(g) and 719.106(1)(k), Florida Statutes.

3804 Section 30. For the 2024-2025 fiscal year, the sums of  
3805 \$6,122,390 in recurring and \$1,293,879 in nonrecurring funds  
3806 from the General Revenue Fund are appropriated to the Department  
3807 of Business and Professional Regulation, and 65 full-time  
3808 equivalent positions with associated salary rate of 3,180,319  
3809 are authorized, for the purpose of implementing this act.

3810 Section 31. The amendments made to ss. 718.103(14) and  
3811 718.202(3) and s. 718.407(1), (2), and (6), Florida Statutes, as  
3812 created by this act, are intended to clarify existing law and  
3813 shall apply retroactively. However, such amendments do not  
3814 revive or reinstate any right or interest that has been fully  
3815 and finally adjudicated as invalid before October 1, 2024.

3816 Section 32. The Florida Building Commission shall perform  
3817 a study on standards to prevent water intrusion through the  
3818 tracks of sliding glass doors, including the consideration of  
3819 devices designed to further prevent such water intrusion. By  
3820 December 1, 2024, the Florida Building Commission must provide a  
3821 written report of its recommendations to the Governor, the  
3822 President of the Senate, the Speaker of the House of  
3823 Representatives, and the chairs of the legislative  
3824 appropriations committees and appropriate substantive committees  
3825 with jurisdiction over chapter 718, Florida Statutes.

3826           Section 33. Except as otherwise expressly provided in this  
3827 act, this act shall take effect July 1, 2024.