

By Senator Richter

23-00813A-16

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1                                   A bill to be entitled  
2       An act relating to homeowners' associations; amending  
3       s. 720.306, F.S.; specifying requirements for revising  
4       or amending a homeowners' association declaration;  
5       providing that nonmaterial errors or omissions do not  
6       invalidate a properly adopted amendment; providing  
7       that an amendment to a recorded governing document is  
8       effective when recorded; providing that an amendment  
9       restricting a parcel owner's ability to rent his or  
10      her property applies only to certain parcel owners;  
11      providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:  
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15       Section 1. Present paragraph (d) of subsection (1) of  
16      section 720.306, Florida Statutes, is redesignated as paragraph  
17      (h), and new paragraphs (d) through (g) are added to that  
18      subsection, to read:

19       720.306 Meetings of members; voting and election  
20      procedures; amendments.—

21       (1) QUORUM; AMENDMENTS.—

22       (d) A provision of the declaration may not be revised or  
23      amended by reference to only its title or number. A proposal to  
24      amend an existing provision of the declaration must contain the  
25      full text of the provision to be amended. New words must be  
26      inserted in the text and underlined, and words to be deleted  
27      must be lined through with hyphens. However, if the proposed  
28      change is so extensive that this procedure would hinder, rather  
29      than assist, the understanding of the proposed amendment, it is

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30 not necessary to use underlining and hyphens as indicators of  
31 words added or deleted. Instead, a notation must be inserted  
32 immediately preceding the proposed amendment in substantially  
33 the following language: "Substantial rewording of declaration.  
34 See provision for present text." An amendment to a declaration  
35 is effective when properly recorded in the public records of the  
36 county where the declaration is recorded.

37 (e) Nonmaterial errors or omissions in the amendment  
38 process do not invalidate an otherwise properly adopted  
39 amendment.

40 (f) An amendment to any recorded governing document is  
41 effective when properly recorded in the public records of the  
42 county where the governing document is recorded.

43 (g) An amendment prohibiting parcel owners from renting  
44 their homes, altering the duration of the rental term, or  
45 specifying or limiting the number of times parcel owners are  
46 entitled to rent their homes during a specified period applies  
47 only to parcel owners who consent individually or through their  
48 representative to the amendment and parcel owners who acquire  
49 title to their homes after the effective date of that amendment.

50 Section 2. This act shall take effect July 1, 2016.