

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN _____ (Y/N)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

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Mayfield offered the following:

3
4 **Amendment (with title amendment)**

5 Between lines 1998 and 1999, insert:

6 Section 20. Subsection (1) of section 720.307, Florida
7 Statutes, is amended to read:

8 720.307 Transition of association control in a community.-

9 With respect to homeowners' associations:

10 (1) Members other than the developer are entitled to elect
11 at least a majority of the members of the board of directors of
12 the homeowners' association when the earlier of the following
13 events occurs:

14 (a) Three months after 90 percent of the parcels in all
15 phases of the community that will ultimately be operated by the
16 homeowners' association have been conveyed to members; ~~or~~

17 (b) When development of all of the parcels that will
18 ultimately be operated by the homeowners' association has been
19 completed, some of the parcels have been conveyed to members,

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20 and no other parcels are being offered for sale by the developer
21 in the ordinary course of business;

22 (c) When some of the parcels have been conveyed to members
23 and no other parcels are being constructed or offered for sale
24 by the developer in the ordinary course of business;

25 (d) When the developer files a petition seeking protection
26 in bankruptcy;

27 (e) When a receiver for the developer is appointed by a
28 circuit court and is not discharged within 30 days after such
29 appointment, unless the court determines, within 30 days after
30 appointment of the receiver, that transfer of control would be
31 detrimental to the homeowners' association or its members; or

32 (f) ~~(b)~~ Such other percentage of the parcels has been
33 conveyed to members, or such other date or event has occurred,
34 as is set forth in the governing documents in order to comply
35 with the requirements of any governmentally chartered entity
36 with regard to the mortgage financing of parcels.

37
38 For purposes of this section, the term "members other than the
39 developer" shall not include builders, contractors, or others
40 who purchase a parcel for the purpose of constructing
41 improvements thereon for resale.

42
43
44
45 -----
46 **T I T L E A M E N D M E N T**

47 Remove line 108 and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 319 (2012)

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48 a certain time period; amending s. 720.307, F.S.;

49 revising when members other than the developer are

50 entitled to elect at least a majority of the members

51 of the board of directors of the homeowners'

52 association; amending s. 720.3085, F.S.;