

Amendment No. 1

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WITHDRAWN	_____	(Y/N)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 Passidomo offered the following:

Amendment (with title amendment)

Remove lines 34-35 and insert:

6 (10) A covenant or restriction of a homeowners'
 7 association or of a mandatory property owners' association that
 8 is recorded in the public records. However, this subsection
 9 shall not apply:

10 (a) To a covenant or restriction that was extinguished by
 11 operation of this chapter prior to July 1, 2016;

12 (b) Where the terms of the covenant or restriction provide
 13 that the covenant or restriction as originally recorded, or
 14 subsequently amended, expires by its own terms;

15 (c) Where an affidavit by the property owner attests that
 16 the association no longer has responsibility under a government
 17 permit, that the association has been administratively

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18 dissolved, and that the extinguishment of the covenants will not
19 prejudice the rights of any other property owner; or

20 (d) To a covenant or restriction of an association where
21 the circuit court finds in a declaratory judgment action that
22 the association has been abandoned, no vote of the membership is
23 practical, continued enforcement of the covenant or restriction
24 is not equitable, and as a result thereof the covenant or
25 restriction is void, terminated or released.

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

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Remove line 7 and insert:

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covenants and restrictions; providing exceptions; amending s.

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712.05, F.S.;