



920164

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/08/2018 03:58 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Delete lines 73 - 188

and insert:

Section 1. Subsection (3), paragraphs (a), (b), and (g) of subsection (12), and paragraph (e) of subsection (13) of section 718.111, Florida Statutes, are amended to read:

718.111 The association.—

(3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT, SUE, AND BE SUED; ~~CONFLICT OF INTEREST.~~—

~~(a)~~ The association may contract, sue, or be sued with



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12 respect to the exercise or nonexercise of its powers. For these
13 purposes, the powers of the association include, but are not
14 limited to, the maintenance, management, and operation of the
15 condominium property. After control of the association is
16 obtained by unit owners other than the developer, the
17 association may institute, maintain, settle, or appeal actions
18 or hearings in its name on behalf of all unit owners concerning
19 matters of common interest to most or all unit owners,
20 including, but not limited to, the common elements; the roof and
21 structural components of a building or other improvements;
22 mechanical, electrical, and plumbing elements serving an
23 improvement or a building; representations of the developer
24 pertaining to any existing or proposed commonly used facilities;
25 and protesting ad valorem taxes on commonly used facilities and
26 on units; and may defend actions in eminent domain or bring
27 inverse condemnation actions. If the association has the
28 authority to maintain a class action, the association may be
29 joined in an action as representative of that class with
30 reference to litigation and disputes involving the matters for
31 which the association could bring a class action. Nothing herein
32 limits any statutory or common-law right of any individual unit
33 owner or class of unit owners to bring any action without
34 participation by the association which may otherwise be
35 available.

36
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete lines 3 - 11

40 and insert:



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41 718.111, F.S.; deleting a provision prohibiting an
42 association from hiring an attorney who represents the
43 management company of the association; revising
44 condominium association recordkeeping