

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/SB 224 — Nicotine Dispensing Devices

by Appropriations Committee; Regulated Industries Committee; and Senators Benacquisto, Latvala, Sobel, Flores, Gibson, Bradley, Dean, and Braynon

The bill extends the current prohibitions related to tobacco products to prohibit the sale, gifting, possession, or use of nicotine dispensing devices and nicotine products, which include electronic cigarettes (e-cigarettes), to and by persons under the age of 18.

The bill defines "nicotine dispensing devices" as any product that employs an electronic, chemical, or mechanical means to produce vapor from a nicotine product, including, but not limited to, an electronic cigarette, any similar device or product, any replacement cartridge, and any container of nicotine in a solution or other form for such devices or products.

The bill defines a "nicotine product" as any product that contains nicotine, including liquid nicotine, that is intended for human consumption, whether inhaled, chewed, absorbed, dissolved or ingested by any means. The definition does not include a tobacco product under Florida law, a drug or device under Federal Law, or a product that contains incidental nicotine.

The bill provides that the sale or giving of "nicotine products" and "nicotine dispensing devices" to minors under the age of 18 is prohibited and punishable as a second degree misdemeanor, which is punishable by a term of imprisonment not exceeding 60 days and a fine not to exceed \$500. The bill provides defenses, including a defense based on the appearance of the underage person and whether the underage person falsely misrepresented his or her age.

The bill provides signage requirements for dealers of "nicotine products" and "nicotine dispensing devices."

The bill creates a noncriminal violation for persons under 18 years who possess, purchase, or misrepresent their age or military service to obtain "nicotine products" or "nicotine dispensing devices." It provides a penalty of 16 hours of community service or a \$25 fine for a first violation, and attendance at a school-approved anti-tobacco and nicotine program, if available. A second violation within 12 weeks of the first violation requires a \$25 fine. A third violation within 12 weeks of the first violation requires the suspension or revocation of the person's driver license, as provided in s. 322.056, F.S. It provides the procedural process for minors cited for committing a non-criminal infraction under this bill. These penalties are the same as the current penalties for possession of tobacco products.

The bill prohibits the sale or delivery of nicotine products or nicotine dispensing devices by means of self-service merchandising except when such products are under the direct control, or line of sight where effective control may be reasonably maintained by the retailer or their agent or employee.

If approved by the Governor, these provisions take effect July 1, 2014.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
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Vote: Senate 37-0; House 117-0

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

SB 320 — Commercial and Recreational Water Activities

by Senators Sachs, Margolis, and Sobel

The bill amends ch. 327, F.S., relating to Commercial and Recreational Water Activities. The bill defines commercial parasailing, kite boarding or kite surfing, and moored ballooning.

The bill prohibits moored ballooning within 100 feet of the marked channel of the Intracoastal Waterway and it prohibits parasailing operations and moored ballooning within two miles of the boundary of an airport unless otherwise permitted under federal law. It also prohibits kite boarding or kite surfing in areas within a mile from an airport runway.

The bill establishes minimum requirements for liability insurance that must be obtained by the owner or operator engaged in commercial parasailing operations. This includes liability coverage in the amounts of at least one million dollars per occurrence and a two million dollar annual aggregate. The bill requires safety briefings for parasailing participants and maintenance of a weather log by parasailing operators.

The bill provides that the operator of the vessel engaged in commercial parasailing must evaluate weather conditions and wind speeds as defined in the bill. The bill prohibits commercial parasailing during wind speeds that exceed twenty miles per hour, wind gusts fifteen miles per hour greater than the present wind speed, wind speed during gusts that exceeds twenty-five miles per hour, when rain or heavy fog reduce visibility, or when a lightning storm comes within seven miles of the parasailing area. The bill requires that the vessel operator have licensure from the United States Coast Guard appropriate for the number of passengers and the displacement of the vessel.

If approved by the Governor, these provisions take effect October 1, 2014.

Vote: Senate 38-0; House 117-1

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

SB 356 — Regulation of Public Lodging Establishments and Public Food Service Establishments

by Senators Thrasher, Altman, Ring, Sobel, and Sachs

The bill prohibits local laws, ordinances, or regulations that regulate the duration or frequency of rental of vacation rentals. It repeals the provisions in current law that prohibit local laws, ordinances, or regulations that restrict the use of vacation rentals or that regulate vacation rentals based solely on their classification, use, or occupancy. The bill maintains the current prohibition against local laws, ordinances, or regulations that prohibit vacation rentals.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 32-2; House 90-27

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/SB 404 — Professional Geology

by Rules Committee; Regulated Industries Committee; and Senator Grimsley

The bill revises requirements for licensure by examination of professional geologists. The bill changes the geological work experience necessary for licensure by examination from seven years of professional geological work experience to five years of “verified” professional geological work experience. The bill removes the ability of an applicant to have teaching experience and credit for undergraduate and graduate education considered as qualified work experience. Candidates must have five years of verified work experience, three of which are under a licensed or qualified geologist or licensed engineer, or they must have five years of verified work experience in “responsible charge” of geological work as determined by the Board of Professional Geologists.

The bill creates requirements for registration as a geologist-in-training (GIT). Geologist-in-training candidates must satisfy all requirements of a candidate under licensure by examination, apart from work experience. Geologist-in-training candidates will be permitted to take the fundamentals of geology portion of the licensing examination prior to gaining work experience. The Department of Business and Professional Regulation (department) will be required to register each candidate who successfully completes the fundamentals of geology portion of the examination as a geologist-in-training. Application as a GIT is voluntary and is not required to become a licensed geologist.

If approved by the Governor, these provisions take effect January 1, 2015.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/SB 440 — Condominiums

by Judiciary Committee; Regulated Industries Committee; and Senator Altman

The bill amends several provisions in s. 718.112, F.S., which specifies the provisions that must be included in the bylaws of condominiums, to distinguish the bylaws requirements for residential condominiums from those for commercial condominiums. The bill limits the following bylaw requirements to residential condominiums:

- The time periods for associations to respond to a unit owner's written inquiries;
- The requirements for the election of board members, the use of staggered terms for members of the board, and the use of limited and general proxies;
- Prohibitions on persons who are not eligible to serve on the board of a condominium association, including co-owners of a unit, persons who have been suspended, persons who are delinquent in the payment of a monetary obligation due to the association, and persons convicted of a felony;
- The pre-election certification requirements for newly elected or appointed board members; and;
- The requirement that the bylaws of the association must provide for mandatory nonbinding arbitration of disputes by the Division of Florida Condominiums, Timeshares, and Mobile Homes within the Department of Business and Professional Regulation.

The bill also limits the requirement that associations initiate an application for a building permit for the required installation of a sprinkler system by the specified date to residential condominiums. The bill also extends the specified date by which residential condominium associations must make the application for a building permit from the end of 2019 to January 1, 2020.

The bill also limits the following condominium laws to residential condominiums:

- Requirements that condominium boards adopt shutter specifications for each building within each condominium operated by the association;
- Requirements that condominium boards approve a unit owner's installation of hurricane protections that conform to the specifications adopted by the board;
- Requirements that the alternative dispute resolution provisions in s. 718.1255, F.S., which provide for the mediation and voluntary non-binding arbitration of certain disputes, do not apply to nonresidential condominiums unless specifically provided for in the declaration of the nonresidential condominium;
- Limitations on the ability of the developer to modify the plot plan for phase condominiums; and
- Requirements that certain information related to the development of a phase condominium be described in the original declaration of condominium or approved by an amendment.

The bill also extends the bulk buyer provisions in s. 718.505, F.S., from July 1, 2015 to July 1, 2016.

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If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 40-0; House 116-0

THE FLORIDA SENATE
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Committee on Regulated Industries

CS/CS/HB 713 — Engineers

by Regulatory Affairs Committee; Business and Professional Regulation Subcommittee; and Rep. Ray and others (CS/SB 692 by Regulated Industries Committee and Senator Stargel)

The bill revises the qualifications and procedures for the appointment and reappointment of members on the Board of Professional Engineers. The bill removes the requirement that a specified number of engineers in each category make up the board, and allows appointments of qualified candidates in a range of provided engineering fields. The bill provides for staggered terms of board members. A professional or technical engineering society may submit a list of qualified candidates to be considered by the Governor for appointment.

The bill revises the procedure for an applicant who fails an examination for licensure more than three times and wishes to retake the examination. The board now has the option of requiring the applicant to complete either additional college-level courses or a board approved relevant examination review course prior to further examination eligibility. The bill allows two additional attempts to take the examination for an applicant delayed in taking the examination due to his or her service in the U.S. Armed Forces or National Guard.

The bill removes options for an applicant for licensure by endorsement. The applicant will not be deemed by the board as having passed an examination substantially equivalent to the fundamentals examination if the applicant obtained an engineering doctoral degree and has an undergraduate degree from an accredited program or has an engineering doctorate degree and has taught engineering for three years at the college level.

The bill revises the requirements for licensure renewal for engineers by increasing professional development hours needed during a two-year renewal period from eight to eighteen. The bill lists acceptable continuing education modes. The board's rules must be consistent with the National Council's Continuing Professional Competency Guidelines.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 35-0; House 112-2

THE FLORIDA SENATE
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CS/CS/HB 773 — Pugilistic Exhibitions

by Regulatory Affairs Committee; Business and Professional Regulation Subcommittee; and Rep. Hutson and others (CS/SB 810 by Regulated Industries Committee and Senator Galvano)

The bill relates to pugilistic exhibitions, such as boxing, kickboxing, and the martial arts, which are regulated by the Florida Boxing Commission within the Department of Business and Professional Regulation under ch. 548, F.S.

The bill provides a \$111,000 appropriation in recurring funds from the General Revenue Fund to the department for the implementation by the Florida Boxing Commission of this act during the 2014-2015 fiscal year.

The bill repeals the concessionaire license requirement and eliminates requirements for concessionaires to report and pay taxes. It also repeals the license and tax reporting requirements for persons who have the right to telecast matches. It also repeals the license requirement for co-promoters.

The bill limits the amount of taxes that promoters must report and pay based on 5 percent tax on gross receipts, including gross receipts derived from the gross price charged for the sale of broadcasting, television and motion picture rights, to a maximum of \$40,000 for a single event.

The bill also deletes the requirement that promoters report and pay the 5 percent tax on gross receipts based on the portion of the receipts from the sale of souvenirs, programs, and other concessions received by the promoter.

The bill also:

- Revises current definitions and defines new terms;
- Clarifies the duties and responsibilities of the executive director of the commission;
- Deletes a duplicative requirement that the commission must electronically record all of its scheduled proceedings;
- Authorizes the commission to approve, suspend, or revoke its approval of amateur sanctioning organizations for mixed martial arts matches;
- Exempts several types of matches from regulation by the state, including amateur matches conducted by public postsecondary institutions, public secondary schools and the Florida National Guard and U.S. Armed Forces, and matches conducted by the International Olympic Committee, the Special Olympics, or the Junior Olympics, and professional or amateur martial arts activity;
- Provides that a participant's failure or refusal to provide a urine sample upon request results in the license being immediately suspended, and such failure is grounds for additional disciplinary action;
- Provides the commission's hearings related to the withholding of purses must be held pursuant to ch. 120, F.S., the Administrative Procedures Act;

- Permits promoters to deduct the face value of complimentary tickets issued, provided or given from the calculation of the tax on gross receipts. The promoters may deduct complimentary tickets, up to 5 percent of the seating designated for the match, from the calculation of gross receipts;
- Permits promoters to not include the face value of complimentary tickets, when calculating the gross receipts tax, for more than 5 percent of the seats designated for the match if the promoter obtains written authorization from the commission or the executive director, or his or her designee;
- Permits complimentary tickets that are provided to reserve or active members of the United States Armed Forces and the National Guard, military veterans, and not for profit organizations persons, would not be included in the calculation of the gross receipts tax if authorized by the commission;
- Requires promoters to keep specified records for one year;
- Requires audits to verify compliance with promoter reporting requirements;
- Requires the commission to establish by rule the procedure for auditing a promoter's records, for resolving any inconsistencies revealed in an audit, and for imposing late fees if taxes are owed; and
- Provides the procedure for emergency license suspensions and requires the general counsel of the department to review the grounds for emergency suspension orders and to file an administrative complaint against the licensee within 21 days after issuance of the suspension order.

This bill is linked to CS/CS/CS/HB 775, relating to Public Records, by Regulatory Affairs Committee; Government Operations Subcommittee; Business and Professional Regulation Subcommittee; and Rep. Hutson (CS/CS/SB 808 by Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Galvano).

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 37-0; House 118-0

THE FLORIDA SENATE
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Committee on Regulated Industries

CS/CS/CS/HB 775 — Public Records

by Regulatory Affairs Committee; Government Operations Subcommittee; Business and Professional Regulation Subcommittee; and Rep. Hutson (CS/CS/SB 808 by Governmental Oversight and Accountability Committee; Regulated Industries Committee; and Senator Galvano)

This bill provides a public-records exemption for a promoter's proprietary confidential business information in the written report after a match or obtained by the Florida State Boxing Commission (commission) in an audit of the promoter's books and records. The bill defines "proprietary confidential business information" as information controlled by the promoter, which a promoter intends to be private and that the disclosure of the information would cause harm to the promoter or its business operations. If a promoter discloses information pursuant to a statutory provision or an order of a court or administrative body, the disclosed information is still considered proprietary confidential business information. In addition, information is proprietary confidential business information if a private agreement provides that such information will not be released to the public. Proprietary confidential business information includes the number of ticket sales for a match, the amount of gross receipts after a match, trade secrets as defined by s. 688.002, F.S., business plans, internal auditing controls and reports of internal auditors, and external auditors' reports.

The bill provides that information made confidential and exempt by this subsection may be disclosed to another governmental entity in the performance of its duties and responsibilities.

The bill provides that these exemptions are subject to the Open Government Sunset Review Act in accordance with s. 119.15, F.S., and are repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill is linked to CS/CS/HB 773, relating to pugilistic exhibitions, by Regulatory Affairs Committee; Business and Professional Regulation Subcommittee; and Rep. Hutson and others (CS/SB 810 by Regulated Industries Committee; and Senator Galvano).

If approved by the Governor, these provisions take effect on the same date that HB 773 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

Vote: Senate 34-0; House 105-12

THE FLORIDA SENATE
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Committee on Regulated Industries

SB 796 — Public Accountancy

by Senator Latvala

The bill increases the number of quarter hours required to sit for the examination for licensure as a certified public accountant (CPA) from 160 quarter hours to 180 quarter hours, which is equivalent to the alternative 120 semester hours required to sit for the examination.

The bill requires that persons who apply to sit for the license examination must show that he or she has good moral character, and that the Board of Accountancy within the Department of Business and Professional Regulation must deny an applicant who fails to show good moral character. Good moral character means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.

The bill requires the board to find a reasonable relationship between the lack of good moral character and an accountant's professional responsibilities. The board must furnish the applicant the findings, complete record, and notice of rights if the applicant is found to be unqualified because of lack of good moral character.

The bill provides a process for reactivation of CPA licenses that have become inactive due to failure to complete the continuing education requirements. It extends the deadlines in the process for reactivation of licenses that have become inactive due to failure to complete the continuing education requirements. The bill extends, from June 30, 2012 to June 30, 2014, the date by which a person must have been inactive or delinquent for failure to complete the continuing education requirement. The bill extends, from June 30, 2014 to June 30, 2016, the deadline to complete the reactivation of the license. To reactivate the license, the person must complete 120 hours of continuing education.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 40-0; House 114-0

THE FLORIDA SENATE
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Committee on Regulated Industries

CS/CS/CS/HB 807 — Residential Properties

by Judiciary Committee; Business and Professional Regulation Subcommittee; Civil Justice Subcommittee; and Rep. Moraitis (CS/CS/CS/SB 798 by Appropriations Committee; Judiciary Committee; Regulated Industries Committee; and Senator Ring)

The bill relates to the operation and regulation of condominium associations, cooperative associations, homeowners' associations, and timeshare projects.

For homeowners' associations, the bill clarifies the notice requirements for the preservation of association covenants and restrictions under the Marketable Record Title Act.

For timeshare projects, the bill:

- Defines the term “timeshare project” to mean any timeshare property as defined in ch. 721, F.S., which is located in this state and that is also a transient public lodging establishment;
- Provides that public lodging units that are classified as timeshare projects are not subject to the requirement of at least biannual inspections by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation (DBPR or department);
- Exempts timeshare projects from the requirements that public lodging establishments maintain public bathroom facilities, provide soap and clean towels or other approved hand-drying devices in the main public bathroom, and provide guests with clean pillowslips and under and top sheets; and
- Removes timeshare plans from the definition of a “vacation rental,” and provides that a vacation rental is a transient public lodging establishment that is not a timeshare project.

The provisions related to condominium associations include:

- Authorizes the associations to enter an abandoned unit to inspect the unit and adjoining common elements, to make specific repairs, and to maintain the unit, and permits the association to charge the unit owner for expenses incurred by the association,
- Provides the circumstances in which a unit may be considered abandoned;
- Provides that the insurance responsibility of the association or unit owners for reconstruction, repair, or replacement in the absence of an insurable event shall be determined by the provisions of the declaration or bylaws;
- Permits board and committee members to participate, including voting, in a meeting via telephone, real-time videoconferencing, or similar real-time electronic or video communication, and for such participation to count towards a quorum;
- Provides that the previous owner does not include an association that acquires the title to a delinquent property through foreclosure or by deed in lieu of foreclosure. The present unit owner's liability for these costs associated with the collection process is limited to the amounts that accrued before the association acquired the title to the delinquent property.

- Prohibits condominium associations from recording a termination of condominium that failed to receive the required approval (80 percent of the voting interest and 80 percent of the original principal amount of outstanding recorded mortgage liens of timeshare estates in the condominium, unless the declaration provides for a lower voting percentage). It provides that a new attempt to terminate the condominium may not be proposed at a meeting or by solicitation for joinder and consent for 180 days after the date the failed plan was first given to all unit owners;
- Repeals the Community Association Living Study Council; and
- Extends the time period to be classified as a bulk buyer or bulk assignee from July 1, 2015 to July 1, 2016.

For cooperative associations, the bill:

- Revises the financial reporting requirements by increasing from 60 days to 90 days the time to prepare a financial statement, or to contract with a third party to prepare the financial statement;
- Specifies the type of financial reporting required based on the association's total annual revenue amounts;
- Limits the financial reporting requirement, for associations of fewer than 50 units, regardless of the association's annual revenues, to the preparation of a report of cash receipts and expenditures, unless otherwise required by the declaration or other recorded governing documents;
- Provides that persons who have been suspended or removed by the division or who are delinquent in the payment of any monetary obligation due to the association are not eligible to be a candidate for board membership and may not be listed on the ballot; and
- Provides for the removal from office of a director or officer charged by information or indictment with a felony theft or embezzlement offense involving the association's funds or property.

In regard to homeowners' associations, the bill:

- Requires that meetings of the board of directors of a homeowners' association and meetings of the association's membership must be held at locations that are accessible to physically handicapped persons; and
- Provides that an association does not have to provide members with copies of an amendment to the governing documents after it is approved by the membership if a copy of the proposed amendment was previously provided to the members before the vote on the amendment and the proposed amendment was not changed before the vote.

In regard to condominium and cooperative associations, the bill requires outgoing board or committee members to relinquish all official records and property of the association in their possession or control to the incoming board within five days after the election. The bill provides that an outgoing board or committee member who violates this requirement is personally subject to a civil penalty by the Division of Florida Condominiums, Timeshares, and Mobile Homes. It also prohibits a board member from voting by e-mail.

For cooperative and homeowners' associations, the bill authorizes boards to exercise specified emergency powers in response to the declaration of a state of emergency, including the authority to implement a disaster plan, mitigate damages, and borrow money with the approval of the membership.

In regard to condominium, cooperative, and homeowners' associations, the bill provides that unit owners may consent in writing to the disclosure of contact information to which other owners are prohibited from having access.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 38-0; House 118-0

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/SB 836 — Medical Gas

by Health Policy Committee; Regulated Industries Committee; and Senator Bean

The bill adds a member to the Drug Wholesale Distributor Advisor Council who is an employee of a permit holding medical gas manufacturer or wholesale distributor and who is recommended by the Compressed Gas Association.

The bill creates part III of ch. 499, F.S., entitled “Medical Gas,” administered and enforced by the Department of Business and Professional Regulation (department). The bill creates definitions under this part and sets forth requirements for obtaining and renewing a permit as a medical gas wholesale distributor, a medical gas manufacturer, or a medical oxygen retail establishment. The department shall adopt rules to establish the form, content, and fee for the application to obtain a permit and to renew a permit listed under this part. The bill provides for changes in permit holder status or information, allowing certain changes with notice and acceptance by the department.

The bill sets forth minimum requirements for the permitting, storage, handling and distribution to safeguard the identity, strength, quality and purity of medical gas. The bill provides for specific security measures be taken to protect against unauthorized access to medical gas, theft of confidential information, and theft of nitrous oxide. The department is required to adopt rules that govern the distribution of medical oxygen for emergency use by persons authorized to receive emergency use oxygen, which must be consistent with federal regulations.

The bill requires inspection of the medical gas containers and the records documenting the acquisition of medical gas. All permit holders are required to establish and maintain a record of transactions regarding the receipt and the disposition of medical gases constituting an audit trail sufficient to perform a recall of medical gas. A wholesale distributor must act with due diligence and must also keep records sufficient to aid in the mandatory reporting of theft or loss of nitrous oxide.

The bill provides that trade secret information required to be submitted under this part must be maintained by the department. The fees collected under this part are to be deposited into a separate account established for the Drugs, Devices, and Cosmetics Program in the Professional Regulation Trust Fund. These funds are required to be used for the administration of this part.

If approved by the Governor, these provisions take effect October 1, 2014.

Vote: Senate 36-0; House 115-1

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/HB 7037 — Residential Communities

by Judiciary Committee; Business and Professional Regulation Subcommittee; Civil Justice Subcommittee; and Rep. Spano and others (CS/CS/SB 1466 by Judiciary Committee; Regulated Industries Committee; and Senators Lee and Evers)

The bill expands the services that may be performed by community association managers on behalf of condominiums, cooperatives, and homeowners' associations. The bill permits community association managers to:

- Determine the number of days required for statutory notices;
- Determine the amounts due the association;
- Collect amounts due to the association before filing a civil action;
- Calculate the votes required for a quorum or to approve a proposition or amendment;
- Complete forms related to the management of a community association that have been created by statute or by a state agency;
- Draft meeting notices and agendas;
- Calculate and prepare certificates of assessment and estoppel certificates;
- Respond to requests for certificates of assessment and estoppel certificates;
- Negotiate monetary or performance terms of a contract subject to approval by an association;
- Draft prearbitration demands;
- Coordinate or perform maintenance for real or personal property and other routine services involved in the operation of a community association; and
- Comply with the association's governing documents and the requirements of law as necessary to perform such practices.

The bill provides a "notice of intent to file a claim of lien" form, "notice of contest of lien" form, and a "release of lien" form for condominium, cooperative, and homeowners' associations. It provides a "delinquent assessment" form for condominium and homeowners' associations. It also provides a "notice of contest of lien" form for cooperative associations.

The bill provides professional standards for community association managers and firms. It provides for indemnification by the association and specifies the actions that cannot be indemnified.

The bill provides that the claim of lien of a cooperative association is not effective one year after the claim of lien was recorded unless, within that time, an action to enforce the lien is commenced. It provides that the one-year period is automatically extended for any length of time during which the association is prevented from filing a foreclosure action by an automatic stay resulting from a bankruptcy petition filed by the parcel owner or any other person claiming an interest in the parcel. This conforms the requirements for a claim of lien by cooperative associations with the claim of lien requirements for condominium associations.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 36-3; House 97-15