

Amendment No.5

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WITHDRAWN	—	(Y/N)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: Business & Professions
 2 Subcommittee
 3 Representative Sprowls offered the following:

Amendment (with title amendment)

Between lines 329 and 330, insert:

Section 2. Subsection (1) of section 718.1255, Florida
 Statutes, is amended to read:

718.1255 Alternative dispute resolution; voluntary
 mediation; mandatory nonbinding arbitration; legislative
 findings.—

(1) DEFINITIONS.—As used in this section, the term
 "dispute" means any disagreement between two or more parties
 that involves:

(a) The authority of the board of directors, under this
 chapter or association document to:

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17 1. Require any owner to take any action, or not to take
18 any action, involving that owner's unit or the appurtenances
19 thereto.

20 2. Alter or add to a common area or element.

21 (b) The failure of a governing body, when required by this
22 chapter or an association document, to:

23 1. Properly conduct elections.

24 2. Give adequate notice of meetings or other actions.

25 3. Properly conduct meetings.

26 4. Allow inspection of books and records.

27 (c) A plan of termination pursuant to s. 718.117.

28 "Dispute" does not include any disagreement that primarily
29 involves: title to any unit or common element; the
30 interpretation or enforcement of any warranty; the levy of a fee
31 or assessment, or the collection of an assessment levied against
32 a party; the eviction or other removal of a tenant from a unit;
33 alleged breaches of fiduciary duty by one or more directors; or
34 claims for damages to a unit based upon the alleged failure of
35 the association to maintain the common elements or condominium
36 property.

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

40 Remove line 15 and insert:
41 of termination; amending s. 718.1255, F.S.; revising alternate
42 dispute resolution definitions; providing an effective date.