

By Senator Farmer

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1 A bill to be entitled
2 An act relating to condominiums; amending s. 718.112,
3 F.S.; authorizing fines to be assessed against
4 condominium association officers and directors who
5 knowingly commit certain offenses; authorizing the
6 Division of Florida Condominiums, Timeshares, and
7 Mobile Homes to recall certain officers or board
8 members under certain circumstances; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (o) of subsection (2) of section
14 718.112, Florida Statutes, is amended to read:

15 718.112 Bylaws.—

16 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
17 following and, if they do not do so, shall be deemed to include
18 the following:

19 (o) *Director or officer offenses.*—

20 1. A director or officer charged by information or
21 indictment with a felony theft or embezzlement offense involving
22 the association's funds or property must be removed from office,
23 creating a vacancy in the office to be filled according to law
24 until the end of the period of the suspension or the end of the
25 director's term of office, whichever occurs first. While such
26 director or officer has such criminal charge pending, he or she
27 may not be appointed or elected to a position as a director or
28 officer. However, if the charges are resolved without a finding
29 of guilt, the director or officer shall be reinstated for the

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30 remainder of his or her term of office, if any.

31 2. If the board of administration or the division
32 determines a director or officer has knowingly violated any
33 association bylaw or provision of this chapter, the officer or
34 director is liable to the association for the following fines:
35 a. Two hundred and fifty dollars for a first violation.
36 b. Five hundred dollars for a second violation.
37 c. One thousand dollars for a third or subsequent
38 violation, and such director or officer may be recalled by order
39 of the division.

40 Section 2. This act shall take effect July 1, 2017.