



184346

LEGISLATIVE ACTION

Senate

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House

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Floor: 2/AD/2R

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04/07/2021 04:27 PM

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Senator Hutson moved the following:

Senate Amendment (with title amendment)

Delete lines 2665 - 2699

and insert:

(h)1. Except as otherwise provided in this paragraph, any governing document, or amendment to a governing document, that is enacted after July 1, 2021, and that prohibits or regulates rental agreements applies only to a parcel owner who acquires title to the parcel after the effective date of the governing document or amendment, or to a parcel owner who consents, individually or through a representative, to the governing



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12 document or amendment.

13 2. Notwithstanding subparagraph 1., an association may
14 amend its governing documents to prohibit or regulate rental
15 agreements for a term of less than 6 months and may prohibit the
16 rental of a parcel for more than three times in a calendar year,
17 and such amendments shall apply to all parcel owners.

18 3. This paragraph does not affect the amendment
19 restrictions for associations of 15 or fewer parcel owners under
20 s. 720.303(1).

21 4. For purposes of this paragraph, a change of ownership
22 does not occur when a parcel owner conveys the parcel to an
23 affiliated entity, when beneficial ownership of the parcel does
24 not change, or when an heir becomes the parcel owner. For
25 purposes of this subparagraph, the term "affiliated entity"
26 means an entity that controls, is controlled by, or is under
27 common control with the parcel owner or that becomes a parent or
28 successor entity by reason of transfer, merger, consolidation,
29 public offering, reorganization, dissolution or sale of stock,
30 or transfer of membership partnership interests. For a
31 conveyance to be recognized as one made to an affiliated entity,
32 the entity must furnish to the association a document certifying
33 that this subparagraph applies and provide any organizational
34 documents for the parcel owner and the affiliated entity which
35 support the representations in the certificate, as requested by
36 the association.

37 5. For purposes of this paragraph, a change of ownership
38 does occur when, with respect to a parcel owner that is a
39 business entity, every person that owned an interest in the real
40 property at the time of the enactment of the amendment or rule



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41 conveys their interest in the real property to an unaffiliated
42 entity.

43

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

45 And the title is amended as follows:

46 Delete line 94

47 and insert:

48 her parcel; providing when a change of ownership of a
49 parcel does and does not occur; defining the term
50 "affiliated entity";