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LEGISLATIVE ACTION

Senate	.	House
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03/06/2024 05:22 PM	.	03/07/2024 06:03 PM
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Senator Bradley moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (3) is added to section 468.4334,  
Florida Statutes, to read:

468.4334 Professional practice standards; liability;  
community association manager requirements.—

(3) A community association manager or community  
association management firm that is authorized by contract to  
provide community association management services to a



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12 homeowners' association shall do all of the following:

13 (a) Attend in person at least one member meeting or board  
14 meeting of the homeowners' association annually.

15 (b) Provide to the members of the homeowners' association  
16 the name and contact information for each community association  
17 manager or representative of a community association management  
18 firm assigned to the homeowners' association, the manager's or  
19 representative's hours of availability, and a summary of the  
20 duties for which the manager or representative is responsible.

21 The homeowners' association shall also post this information on  
22 the association's website or application required under s.  
23 720.303(4)(b). The community association manager or community  
24 association management firm shall update the homeowners'  
25 association and its members within 14 business days after any  
26 change to such information.

27 (c) Provide to any member upon request a copy of the  
28 contract between the community association manager or community  
29 association management firm and the homeowners' association and  
30 include such contract with association's official records.

31 Section 2. Section 468.4337, Florida Statutes, is amended  
32 to read:

33 468.4337 Continuing education.—The department may not renew  
34 a license until the licensee submits proof that the licensee has  
35 completed the requisite hours of continuing education. ~~No more~~  
36 ~~than 10 hours of continuing education annually shall be required~~  
37 ~~for renewal of a license.~~ The number of continuing education  
38 hours, criteria, and course content shall be approved by the  
39 council by rule. The council may not require more than 10 hours  
40 of continuing education annually for renewal of a license. A



41 community association manager who provides community association  
42 management services to a homeowners' association must biennially  
43 complete at least 5 hours of continuing education that pertains  
44 specifically to homeowners' associations, 3 hours of which must  
45 relate to recordkeeping.

46 Section 3. Subsections (1), (4), and (5), paragraph (f) of  
47 subsection (6), and paragraphs (a) and (d) of subsection (7) of  
48 section 720.303, Florida Statutes, are amended, and subsections  
49 (13) and (14) are added to that section, to read:

50 720.303 Association powers and duties; meetings of board;  
51 official records; budgets; financial reporting; association  
52 funds; recalls.—

53 (1) POWERS AND DUTIES.—An association that ~~which~~ operates a  
54 community as defined in s. 720.301, must be operated by an  
55 association that is a Florida corporation. After October 1,  
56 1995, the association must be incorporated and the initial  
57 governing documents must be recorded in the official records of  
58 the county in which the community is located. An association may  
59 operate more than one community. The officers and directors of  
60 an association are subject to s. 617.0830 and have a fiduciary  
61 relationship to the members who are served by the association.  
62 The powers and duties of an association include those set forth  
63 in this chapter and, except as expressly limited or restricted  
64 in this chapter, those set forth in the governing documents.  
65 After control of the association is obtained by members other  
66 than the developer, the association may institute, maintain,  
67 settle, or appeal actions or hearings in its name on behalf of  
68 all members concerning matters of common interest to the  
69 members, including, but not limited to, the common areas; roof



70 or structural components of a building, or other improvements  
71 for which the association is responsible; mechanical,  
72 electrical, or plumbing elements serving an improvement or  
73 building for which the association is responsible;  
74 representations of the developer pertaining to any existing or  
75 proposed commonly used facility; and protesting ad valorem taxes  
76 on commonly used facilities. The association may defend actions  
77 in eminent domain or bring inverse condemnation actions. Before  
78 commencing litigation against any party in the name of the  
79 association involving amounts in controversy in excess of  
80 \$100,000, the association must obtain the affirmative approval  
81 of a majority of the voting interests at a meeting of the  
82 membership at which a quorum has been attained. This subsection  
83 does not limit any statutory or common-law right of any  
84 individual member or class of members to bring any action  
85 without participation by the association. A member does not have  
86 authority to act for the association by virtue of being a  
87 member. An association may have more than one class of members  
88 and may issue membership certificates. An association of 15 or  
89 fewer parcel owners may enforce only the requirements of those  
90 deed restrictions established prior to the purchase of each  
91 parcel upon an affected parcel owner or owners.

92 (4) OFFICIAL RECORDS.—

93 (a) The association shall maintain each of the following  
94 items, when applicable, for at least 7 years, unless the  
95 governing documents of the association require a longer period  
96 of time, which constitute the official records of the  
97 association:

98 1.(a) Copies of any plans, specifications, permits, and



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99 warranties related to improvements constructed on the common  
100 areas or other property that the association is obligated to  
101 maintain, repair, or replace.

102 2.~~(b)~~ A copy of the bylaws of the association and of each  
103 amendment to the bylaws.

104 3.~~(e)~~ A copy of the articles of incorporation of the  
105 association and of each amendment thereto.

106 4.~~(d)~~ A copy of the declaration of covenants and a copy of  
107 each amendment thereto.

108 5.~~(e)~~ A copy of the current rules of the homeowners'  
109 association.

110 6.~~(f)~~ The minutes of all meetings of the board of directors  
111 and of the members, ~~which minutes must be retained for at least~~  
112 ~~7~~ years.

113 7.~~(g)~~ A current roster of all members and their designated  
114 mailing addresses and parcel identifications. A member's  
115 designated mailing address is the member's property address,  
116 unless the member has sent written notice to the association  
117 requesting that a different mailing address be used for all  
118 required notices. The association shall also maintain the e-mail  
119 addresses and the facsimile numbers designated by members for  
120 receiving notice sent by electronic transmission of those  
121 members consenting to receive notice by electronic transmission.  
122 A member's e-mail address is the e-mail address the member  
123 provided when consenting in writing to receiving notice by  
124 electronic transmission, unless the member has sent written  
125 notice to the association requesting that a different e-mail  
126 address be used for all required notices. The e-mail addresses  
127 and facsimile numbers provided by members to receive notice by



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128 electronic transmission must be removed from association records  
129 when the member revokes consent to receive notice by electronic  
130 transmission. However, the association is not liable for an  
131 erroneous disclosure of the e-mail address or the facsimile  
132 number for receiving electronic transmission of notices.

133 ~~8.(h)~~ All of the association's insurance policies or a copy  
134 thereof, ~~which policies must be retained for at least 7 years.~~

135 ~~9.(i)~~ A current copy of all contracts to which the  
136 association is a party, including, without limitation, any  
137 management agreement, lease, or other contract under which the  
138 association has any obligation or responsibility. Bids received  
139 by the association for work to be performed are ~~must also be~~  
140 considered official records and must be kept for a period of 1  
141 year.

142 ~~10.(j)~~ The financial and accounting records of the  
143 association, kept according to good accounting practices. ~~All~~  
144 ~~financial and accounting records must be maintained for a period~~  
145 ~~of at least 7 years.~~ The financial and accounting records must  
146 include:

147 ~~a.1.~~ Accurate, itemized, and detailed records of all  
148 receipts and expenditures.

149 ~~b.2.~~ A current account and a periodic statement of the  
150 account for each member, designating the name and current  
151 address of each member who is obligated to pay assessments, the  
152 due date and amount of each assessment or other charge against  
153 the member, the date and amount of each payment on the account,  
154 and the balance due.

155 ~~c.3.~~ All tax returns, financial statements, and financial  
156 reports of the association.



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157 ~~d.4.~~ Any other records that identify, measure, record, or  
158 communicate financial information.

159 ~~11.(\*)~~ A copy of the disclosure summary described in s.  
160 720.401(1).

161 ~~12.(1)~~ Ballots, sign-in sheets, voting proxies, and all  
162 other papers and electronic records relating to voting by parcel  
163 owners, which must be maintained for at least 1 year after the  
164 date of the election, vote, or meeting.

165 ~~13.(m)~~ All affirmative acknowledgments made pursuant to s.  
166 720.3085(3)(c)3.

167 ~~14.(n)~~ All other written records of the association not  
168 specifically included in this subsection which are related to  
169 the operation of the association.

170 (b)1. By January 1, 2025, an association that has 100 or  
171 more parcels shall post the following documents on its website  
172 or make available such documents through an application that can  
173 be downloaded on a mobile device:

174 a. The articles of incorporation of the association and  
175 each amendment thereto.

176 b. The recorded bylaws of the association and each  
177 amendment thereto.

178 c. The declaration of covenants and a copy of each  
179 amendment thereto.

180 d. The current rules of the association.

181 e. A list of all current executory contracts or documents  
182 to which the association is a party or under which the  
183 association or the parcel owners have an obligation or  
184 responsibility and, after bidding for the related materials,  
185 equipment, or services has closed, a list of bids received by



186 the association within the past year.  
187 f. The annual budget required by subsection (6) and any  
188 proposed budget to be considered at the annual meeting.  
189 g. The financial report required by subsection (7) and any  
190 monthly income or expense statement to be considered at a  
191 meeting.  
192 h. The association's current insurance policies.  
193 i. The certification of each director as required by s.  
194 720.3033(1) (a).  
195 j. All contracts or transactions between the association  
196 and any director, officer, corporation, firm, or association  
197 that is not an affiliated homeowners' association or any other  
198 entity in which a director of an association is also a director  
199 or an officer and has a financial interest.  
200 k. Any contract or document regarding a conflict of  
201 interest or possible conflict of interest as provided in ss.  
202 468.436(2) (b) 6. and 720.3033(2).  
203 l. Notice of any scheduled meeting of members and the  
204 agenda for the meeting, as required by s. 720.306, at least 14  
205 days before such meeting. The notice must be posted in plain  
206 view on the homepage of the website or application, or on a  
207 separate subpage of the website or application labeled "Notices"  
208 which is conspicuously visible and linked from the homepage. The  
209 association shall also post on its website or application any  
210 document to be considered and voted on by the members during the  
211 meeting or any document listed on the meeting agenda at least 7  
212 days before the meeting at which such document or information  
213 within the document will be considered.  
214 m. Notice of any board meeting, the agenda, and any other





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215 document required for such meeting as required by subsection  
216 (3), which must be posted on the website or application no later  
217 than the date required for notice under subsection (3).

218 2. The association's website or application must be  
219 accessible through the Internet and must contain a subpage, web  
220 portal, or other protected electronic location that is  
221 inaccessible to the general public and accessible only to parcel  
222 owners and employees of the association.

223 3. Upon written request by a parcel owner, the association  
224 must provide the parcel owner with a username and password and  
225 access to the protected sections of the association's website or  
226 application which contains the official documents of the  
227 association.

228 4. The association shall ensure that the information and  
229 records described in paragraph (5) (g), which are not allowed to  
230 be accessible to parcel owners, are not posted on the  
231 association's website or application. If protected information  
232 or information restricted from being accessible to parcel owners  
233 is included in documents that are required to be posted on the  
234 association's website or application, the association must  
235 ensure the information is redacted before posting the documents.  
236 Notwithstanding the foregoing, the association or its authorized  
237 agent is not liable for disclosing information that is protected  
238 or restricted under paragraph (5) (g) unless such disclosure was  
239 made with a knowing or intentional disregard of the protected or  
240 restricted nature of such information.

241 (c) The association shall adopt written rules governing the  
242 method or policy by which the official records of the  
243 association are to be retained and the time period such records



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244 must be retained pursuant to paragraph (a). Such information  
245 must be made available to the parcel owners through the  
246 association's website or application.

247 (5) INSPECTION AND COPYING OF RECORDS.—

248 (a) Unless otherwise provided by law or the governing  
249 documents of the association, the official records must ~~shall~~ be  
250 maintained within this ~~the~~ state for at least 7 years and ~~shall~~  
251 be made available to a parcel owner for inspection or  
252 photocopying within 45 miles of the community or within the  
253 county in which the association is located within 10 business  
254 days after receipt by the board or its designee of a written  
255 request from the parcel owner. This subsection may be complied  
256 with by having a copy of the official records available for  
257 inspection or copying in the community or, ~~at the option of the~~  
258 ~~association,~~ by making the records available to a parcel owner  
259 electronically via the Internet or by allowing the records to be  
260 viewed in electronic format on a computer screen and printed  
261 upon request. If the association has a photocopy machine  
262 available where the records are maintained, it must provide  
263 parcel owners with copies on request during the inspection if  
264 the entire request is limited to no more than 25 pages. An  
265 association shall allow a member or his or her authorized  
266 representative to use a portable device, including a smartphone,  
267 tablet, portable scanner, or any other technology capable of  
268 scanning or taking photographs, to make an electronic copy of  
269 the official records in lieu of the association's providing the  
270 member or his or her authorized representative with a copy of  
271 such records. The association may not charge a fee to a member  
272 or his or her authorized representative for the use of a



273 portable device.

274 (b) ~~(a)~~ The failure of an association to provide access to  
275 the records within 10 business days after receipt of a written  
276 request submitted by certified mail, return receipt requested,  
277 creates a rebuttable presumption that the association willfully  
278 failed to comply with this subsection.

279 (c) ~~(b)~~ A member ~~who is~~ denied access to official records is  
280 entitled to the actual damages or minimum damages for the  
281 association's willful failure to comply with this subsection.  
282 The minimum damages are to be \$50 per calendar day up to 10  
283 days, the calculation to begin on the 11th business day after  
284 receipt of the written request.

285 (d) Any director or member of the board or association or a  
286 community association manager who knowingly, willfully, and  
287 repeatedly violates paragraph (a), with the intent of causing  
288 harm to the association or one or more of its members, commits a  
289 misdemeanor of the second degree, punishable as provided in s.  
290 775.082 or s. 775.083. For purposes of this paragraph, the term  
291 "repeatedly" means two or more violations within a 12-month  
292 period.

293 (e) Any person who knowingly and intentionally defaces or  
294 destroys accounting records during the period in which such  
295 records are required to be maintained, or who knowingly or  
296 intentionally fails to create or maintain accounting records  
297 that are required to be created or maintained, with the intent  
298 of causing harm to the association or one or more of its  
299 members, commits a misdemeanor of the first degree, punishable  
300 as provided in s. 775.082 or s. 775.083.

301 (f) Any person who willfully and knowingly refuses to



302 release or otherwise produce association records with the intent  
303 to avoid or escape detection, arrest, trial, or punishment for  
304 the commission of a crime, or to assist another person with such  
305 avoidance or escape, commits a felony of the third degree,  
306 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

307 (g) ~~(e)~~ The association may adopt reasonable written rules  
308 governing the frequency, time, location, notice, records to be  
309 inspected, and manner of inspections, but may not require a  
310 parcel owner to demonstrate any proper purpose for the  
311 inspection, state any reason for the inspection, or limit a  
312 parcel owner's right to inspect records to less than one 8-hour  
313 business day per month. The association may impose fees to cover  
314 the costs of providing copies of the official records, including  
315 the costs of copying and the costs required for personnel to  
316 retrieve and copy the records if the time spent retrieving and  
317 copying the records exceeds one-half hour and if the personnel  
318 costs do not exceed \$20 per hour. Personnel costs may not be  
319 charged for records requests that result in the copying of 25 or  
320 fewer pages. The association may charge up to 25 cents per page  
321 for copies made on the association's photocopier. If the  
322 association does not have a photocopy machine available where  
323 the records are kept, or if the records requested to be copied  
324 exceed 25 pages in length, the association may have copies made  
325 by an outside duplicating service and may charge the actual cost  
326 of copying, as supported by the vendor invoice. The association  
327 shall maintain an adequate number of copies of the recorded  
328 governing documents, to ensure their availability to members and  
329 prospective members. Notwithstanding this subsection ~~paragraph~~,  
330 the following records are not accessible to members or parcel



331 owners:

332 1. Any record protected by the lawyer-client privilege as  
333 described in s. 90.502 and any record protected by the work-  
334 product privilege, including, but not limited to, a record  
335 prepared by an association attorney or prepared at the  
336 attorney's express direction which reflects a mental impression,  
337 conclusion, litigation strategy, or legal theory of the attorney  
338 or the association and which was prepared exclusively for civil  
339 or criminal litigation or for adversarial administrative  
340 proceedings or which was prepared in anticipation of such  
341 litigation or proceedings until the conclusion of the litigation  
342 or proceedings.

343 2. Information obtained by an association in connection  
344 with the approval of the lease, sale, or other transfer of a  
345 parcel.

346 3. Information an association obtains in a gated community  
347 in connection with guests' visits to parcel owners or community  
348 residents.

349 4. Personnel records of association or management company  
350 employees, including, but not limited to, disciplinary, payroll,  
351 health, and insurance records. For purposes of this  
352 subparagraph, the term "personnel records" does not include  
353 written employment agreements with an association or management  
354 company employee or budgetary or financial records that indicate  
355 the compensation paid to an association or management company  
356 employee.

357 5. Medical records of parcel owners or community residents.

358 6. Social security numbers, driver license numbers, credit  
359 card numbers, electronic mailing addresses, telephone numbers,



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360 facsimile numbers, emergency contact information, any addresses  
361 for a parcel owner other than as provided for association notice  
362 requirements, and other personal identifying information of any  
363 person, excluding the person's name, parcel designation, mailing  
364 address, and property address. Notwithstanding the restrictions  
365 in this subparagraph, an association may print and distribute to  
366 parcel owners a directory containing the name, parcel address,  
367 and all telephone numbers of each parcel owner. However, an  
368 owner may exclude his or her telephone numbers from the  
369 directory by so requesting in writing to the association. An  
370 owner may consent in writing to the disclosure of other contact  
371 information described in this subparagraph. The association is  
372 not liable for the disclosure of information that is protected  
373 under this subparagraph if the information is included in an  
374 official record of the association and is voluntarily provided  
375 by an owner and not requested by the association.

376 7. Any electronic security measure that is used by the  
377 association to safeguard data, including passwords.

378 8. The software and operating system used by the  
379 association which allows the manipulation of data, even if the  
380 owner owns a copy of the same software used by the association.  
381 The data is part of the official records of the association.

382 9. All affirmative acknowledgments made pursuant to s.  
383 720.3085(3)(c)3.

384 (h) ~~(d)~~ The association or its authorized agent is not  
385 required to provide a prospective purchaser or lienholder with  
386 information about the residential subdivision or the association  
387 other than information or documents required by this chapter to  
388 be made available or disclosed. The association or its



389 authorized agent may charge a reasonable fee to the prospective  
390 purchaser or lienholder or the current parcel owner or member  
391 for providing good faith responses to requests for information  
392 by or on behalf of a prospective purchaser or lienholder, other  
393 than that required by law, if the fee does not exceed \$150 plus  
394 the reasonable cost of photocopying and any attorney fees  
395 incurred by the association in connection with the response.

396 (i) If an association receives a subpoena for records from  
397 a law enforcement agency, the association must provide a copy of  
398 such records or otherwise make the records available for  
399 inspection and copying to a law enforcement agency within 5  
400 business days after receipt of the subpoena, unless otherwise  
401 specified by the law enforcement agency or subpoena. An  
402 association must assist a law enforcement agency in its  
403 investigation to the extent permissible by law.

404 (6) BUDGETS.—

405 (f) After one or more reserve accounts are established, the  
406 membership of the association, upon a majority vote at a meeting  
407 at which a quorum is present, may provide for no reserves or  
408 less reserves than required by this section. If a meeting of the  
409 parcel unit owners has been called to determine whether to waive  
410 or reduce the funding of reserves and such result is not  
411 achieved or a quorum is not present, the reserves as included in  
412 the budget go into effect. After the turnover, the developer may  
413 vote its voting interest to waive or reduce the funding of  
414 reserves. Any vote taken pursuant to this subsection to waive or  
415 reduce reserves is applicable only to one budget year.

416 (7) FINANCIAL REPORTING.—Within 90 days after the end of  
417 the fiscal year, or annually on the date provided in the bylaws,



418 the association shall prepare and complete, or contract with a  
419 third party for the preparation and completion of, a financial  
420 report for the preceding fiscal year. Within 21 days after the  
421 final financial report is completed by the association or  
422 received from the third party, but not later than 120 days after  
423 the end of the fiscal year or other date as provided in the  
424 bylaws, the association shall, within the time limits set forth  
425 in subsection (5), provide each member with a copy of the annual  
426 financial report or a written notice that a copy of the  
427 financial report is available upon request at no charge to the  
428 member. Financial reports shall be prepared as follows:

429 (a) An association that meets the criteria of this  
430 paragraph shall prepare or cause to be prepared a complete set  
431 of financial statements in accordance with generally accepted  
432 accounting principles as adopted by the Board of Accountancy.  
433 The financial statements shall be based upon the association's  
434 total annual revenues, as follows:

435 1. An association with total annual revenues of \$150,000 or  
436 more, but less than \$300,000, shall prepare compiled financial  
437 statements.

438 2. An association with total annual revenues of at least  
439 \$300,000, but less than \$500,000, shall prepare reviewed  
440 financial statements.

441 3. An association with total annual revenues of \$500,000 or  
442 more shall prepare audited financial statements.

443 4. An association with at least 1,000 parcels shall prepare  
444 audited financial statements, notwithstanding the association's  
445 total annual revenues.

446 (d) If approved by a majority of the voting interests





447 present at a properly called meeting of the association, an  
448 association may prepare or cause to be prepared:

449 1. A report of cash receipts and expenditures in lieu of a  
450 compiled, reviewed, or audited financial statement;

451 2. A report of cash receipts and expenditures or a compiled  
452 financial statement in lieu of a reviewed or audited financial  
453 statement; or

454 3. A report of cash receipts and expenditures, a compiled  
455 financial statement, or a reviewed financial statement in lieu  
456 of an audited financial statement.

457  
458 An association may not prepare a financial statement pursuant to  
459 this paragraph for consecutive fiscal years.

460 (13) DEBIT CARDS.—

461 (a) An association and its officers, directors, employees,  
462 and agents may not use a debit card issued in the name of the  
463 association, or billed directly to the association, for the  
464 payment of any association expenses.

465 (b) A person who uses a debit card issued in the name of  
466 the association, or billed directly to the association, for any  
467 expense that is not a lawful obligation of the association  
468 commits theft as provided under s. 812.014.

469  
470 For the purposes of this subsection, the term "lawful obligation  
471 of the association" means an obligation that has been properly  
472 preapproved by the board and is reflected in the meeting minutes  
473 or the written budget.

474 (14) REQUIREMENT TO PROVIDE AN ACCOUNTING.—A parcel owner  
475 may make a written request to the board for a detailed



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476 accounting of any amounts he or she owes to the association  
477 related to the parcel, and the board shall provide such  
478 information within 15 business days after receipt of the written  
479 request. After a parcel owner makes such written request to the  
480 board, he or she may not request another detailed accounting for  
481 at least 90 calendar days. Failure by the board to respond  
482 within 15 business days to a written request for a detailed  
483 accounting constitutes a complete waiver of any outstanding  
484 fines of the person who requested such accounting which are more  
485 than 30 days past due and for which the association has not  
486 given prior written notice of the imposition of the fines.

487 Section 4. Subsections (1) and (3) and paragraph (a) of  
488 subsection (4) of section 720.3033, Florida Statutes, are  
489 amended to read:

490 720.3033 Officers and directors.—

491 (1) (a) Within 90 days after being elected or appointed to  
492 the board, each ~~director shall certify in writing to the~~  
493 ~~secretary of the association that he or she has read the~~  
494 ~~association's declaration of covenants, articles of~~  
495 ~~incorporation, bylaws, and current written rules and policies;~~  
496 ~~that he or she will work to uphold such documents and policies~~  
497 ~~to the best of his or her ability; and that he or she will~~  
498 ~~faithfully discharge his or her fiduciary responsibility to the~~  
499 ~~association's members. Within 90 days after being elected or~~  
500 ~~appointed to the board, in lieu of such written certification,~~  
501 ~~the newly elected or appointed director must may submit a~~  
502 certificate of having satisfactorily completed the educational  
503 curriculum administered by a department-approved division-  
504 approved education provider.



505 1. The newly elected or appointed director must complete  
506 the department-approved education for newly elected or appointed  
507 directors within 90 days after being elected or appointed.

508 2. The certificate of completion is valid for a up to 4  
509 years.

510 3. A director must complete the education specific to newly  
511 elected or appointed directors at least every 4 years.

512 4. The department-approved educational curriculum specific  
513 to newly elected or appointed directors must include training  
514 relating to financial literacy and transparency, recordkeeping,  
515 levying of fines, and notice and meeting requirements.

516 5. In addition to the educational curriculum specific to  
517 newly elected or appointed directors:

518 a. A director of an association that has fewer than 2,500  
519 parcels must complete at least 4 hours of continuing education  
520 annually.

521 b. A director of an association that has 2,500 parcels or  
522 more must complete at least 8 hours of continuing education  
523 annually ~~within 1 year before or 90 days after the date of~~  
524 ~~election or appointment.~~

525 ~~(b) The written certification or educational certificate is~~  
526 ~~valid for the uninterrupted tenure of the director on the board.~~  
527 A director who does not timely file the ~~written certification or~~  
528 ~~educational certificate~~ is shall be suspended from the board  
529 until he or she complies with the requirement. The board may  
530 temporarily fill the vacancy during the period of suspension.

531 (c) The association shall retain each director's ~~written~~  
532 ~~certification or~~ educational certificate for inspection by the  
533 members for 5 years after the director's election. However, the



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534 failure to have the written certification or educational  
535 certificate on file does not affect the validity of any board  
536 action.

537 (d) The department shall adopt rules to implement and  
538 administer the educational curriculum and continuing education  
539 requirements under this subsection.

540 (3) An officer, a director, or a manager may not solicit,  
541 offer to accept, or accept a kickback. As used in this  
542 subsection, the term "kickback" means any thing or service of  
543 value for which consideration has not been provided for an  
544 officer's, a director's, or a manager's ~~his or her~~ benefit or  
545 for the benefit of a member of his or her immediate family from  
546 any person providing or proposing to provide goods or services  
547 to the association. An officer, a director, or a manager who  
548 knowingly solicits, offers to accept, or accepts ~~a any thing or~~  
549 ~~service of value or~~ kickback commits a felony of the third  
550 degree, punishable as provided in s. 775.082, 775.083, or s.  
551 775.084, and ~~for which consideration has not been provided for~~  
552 ~~his or her own benefit or that of his or her immediate family~~  
553 ~~from any person providing or proposing to provide goods or~~  
554 ~~services to the association~~ is subject to monetary damages under  
555 s. 617.0834. If the board finds that an officer or a director  
556 has violated this subsection, the board must ~~shall~~ immediately  
557 remove the officer or director from office. The vacancy shall be  
558 filled according to law until the end of the officer's or  
559 director's term of office. However, an officer, a director, or a  
560 manager may accept food to be consumed at a business meeting  
561 with a value of less than \$25 per individual or a service or  
562 good received in connection with trade fairs or education



563 programs.

564 (4) (a) A director or an officer charged by information or  
565 indictment with any of the following crimes must be removed from  
566 office and a vacancy declared:

567 1. Forgery of a ballot envelope or voting certificate used  
568 in a homeowners' association election as provided in s. 831.01.

569 2. Theft or embezzlement involving the association's funds  
570 or property as provided in s. 812.014.

571 3. Destruction of or the refusal to allow inspection or  
572 copying of an official record of a homeowners' association which  
573 is accessible to parcel owners within the time periods required  
574 by general law, in furtherance of any crime. Such act  
575 constitutes tampering with physical evidence as provided in s.  
576 918.13.

577 4. Obstruction of justice as provided in chapter 843.

578 5. Any criminal violation under this chapter.

579 Section 5. Subsections (1) and (4) of section 720.3035,  
580 Florida Statutes, are amended to read:

581 720.3035 Architectural control covenants; parcel owner  
582 improvements; rights and privileges.—

583 (1) (a) The authority of an association or any  
584 architectural, construction improvement, or other such similar  
585 committee of an association to review and approve plans and  
586 specifications for the location, size, type, or appearance of  
587 any structure or other improvement on a parcel, or to enforce  
588 standards for the external appearance of any structure or  
589 improvement located on a parcel, shall be permitted only to the  
590 extent that the authority is specifically stated or reasonably  
591 inferred as to such location, size, type, or appearance in the



592 declaration of covenants or other published guidelines and  
593 standards authorized by the declaration of covenants. An  
594 association or any architectural, construction improvement, or  
595 similar committee of an association must reasonably and  
596 equitably apply and enforce on all parcel owners the  
597 architectural and construction improvement standards authorized  
598 by the declaration of covenants or other published guidelines  
599 and standards authorized by the declaration of covenants.

600 (b) An association or any architectural, construction  
601 improvement, or other such similar committee of an association  
602 may not enforce or adopt a covenant, rule, or guideline that:

603 1. Limits or places requirements on the interior of a  
604 structure that is not visible from the parcel's frontage or an  
605 adjacent parcel, an adjacent common area, or a community golf  
606 course.

607 2. Requires the review and approval of plans and  
608 specifications for a central air-conditioning, refrigeration,  
609 heating, or ventilating system by the association or any  
610 architectural, construction improvement, or other such similar  
611 committee of an association, if such system is not visible from  
612 the parcel's frontage, an adjacent parcel, an adjacent common  
613 area, or a community golf course and is substantially similar to  
614 a system that is approved or recommended by the association or a  
615 committee thereof.

616 (4) (a) Each parcel owner ~~is shall be~~ entitled to the rights  
617 and privileges set forth in the declaration of covenants or  
618 other published guidelines and standards authorized by the  
619 declaration of covenants concerning the architectural use of the  
620 parcel, and the construction of permitted structures and



621 improvements on the parcel. ~~and~~ Such rights and privileges may  
622 ~~shall~~ not be unreasonably infringed upon or impaired by the  
623 association or any architectural, construction improvement, or  
624 other such similar committee of the association. If the  
625 association or any architectural, construction improvement, or  
626 other such similar committee of the association denies a parcel  
627 owner's request or application for the construction of a  
628 structure or other improvement on a parcel, the association or  
629 committee must provide written notice to the parcel owner  
630 stating with specificity the rule or covenant on which the  
631 association or committee relied when denying the request or  
632 application and the specific aspect or part of the proposed  
633 improvement that does not conform to such rule or covenant.

634 (b) If the association or any architectural, construction  
635 improvement, or other such similar committee of the association  
636 should unreasonably, knowingly, and willfully infringe upon or  
637 impair the rights and privileges set forth in the declaration of  
638 covenants or other published guidelines and standards authorized  
639 by the declaration of covenants, the adversely affected parcel  
640 owner is ~~shall be~~ entitled to recover damages caused by such  
641 infringement or impairment, including any costs and reasonable  
642 attorney ~~attorney's~~ fees incurred in preserving or restoring the  
643 rights and privileges of the parcel owner set forth in the  
644 declaration of covenants or other published guidelines and  
645 standards authorized by the declaration of covenants.

646 Section 6. Section 720.3045, Florida Statutes, is amended  
647 to read:

648 720.3045 Installation, display, and storage of items.-  
649 Regardless of any covenants, restrictions, bylaws, rules, or



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650 requirements of an association, and unless prohibited by general  
651 law or local ordinance, an association may not restrict parcel  
652 owners or their tenants from installing, displaying, or storing  
653 any items on a parcel which are not visible from the parcel's  
654 frontage or an adjacent parcel, an adjacent common area, or a  
655 community golf course, including, but not limited to, artificial  
656 turf, boats, flags, vegetable gardens, clotheslines, and  
657 recreational vehicles.

658 Section 7. Present paragraph (e) of subsection (2) of  
659 section 720.305, Florida Statutes, is redesignated as paragraph  
660 (f) and amended, a new paragraph (e) and paragraph (g) are added  
661 to that subsection, subsection (7) is added to that section, and  
662 paragraphs (b) and (d) of subsection (2) of that section are  
663 amended, to read:

664 720.305 Obligations of members; remedies at law or in  
665 equity; levy of fines and suspension of use rights.—

666 (2) An association may levy reasonable fines for violations  
667 of the declaration, association bylaws, or reasonable rules of  
668 the association. A fine may not exceed \$100 per violation  
669 against any member or any member's tenant, guest, or invitee for  
670 the failure of the owner of the parcel or its occupant,  
671 licensee, or invitee to comply with any provision of the  
672 declaration, the association bylaws, or reasonable rules of the  
673 association unless otherwise provided in the governing  
674 documents. A fine may be levied by the board for each day of a  
675 continuing violation, with a single notice and opportunity for  
676 hearing, except that the fine may not exceed \$1,000 in the  
677 aggregate unless otherwise provided in the governing documents.  
678 A fine of less than \$1,000 may not become a lien against a





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679 parcel. In any action to recover a fine, the prevailing party is  
680 entitled to reasonable attorney fees and costs from the  
681 nonprevailing party as determined by the court.

682 (b) A fine or suspension levied by the board of  
683 administration may not be imposed unless the board first  
684 provides at least 14 days' written notice of the parcel owner's  
685 right to a hearing to the parcel owner at his or her designated  
686 mailing or e-mail address in the association's official records  
687 and, if applicable, to any occupant, licensee, or invitee of the  
688 parcel owner, sought to be fined or suspended. Such ~~and a~~  
689 hearing must be held within 90 days after issuance of the notice  
690 before a committee of at least three members appointed by the  
691 board who are not officers, directors, or employees of the  
692 association, or the spouse, parent, child, brother, or sister of  
693 an officer, director, or employee. The committee may hold the  
694 hearing by telephone or other electronic means. The notice must  
695 include a description of the alleged violation; the specific  
696 action required to cure such violation, if applicable; and the  
697 hearing date, ~~and~~ location, and access information if held by  
698 telephone or other electronic means ~~of the hearing.~~ A parcel  
699 owner has the right to attend a hearing by telephone or other  
700 electronic means.

701 (d) Within 7 days after the hearing, the committee shall  
702 provide written notice to the parcel owner at his or her  
703 designated mailing or e-mail address in the association's  
704 official records and, if applicable, any occupant, licensee, or  
705 invitee of the parcel owner, of the committee's findings related  
706 to the violation, including any applicable fines or suspensions  
707 that the committee approved or rejected, and how the parcel



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708 owner or any occupant, licensee, or invitee of the parcel owner  
709 may cure the violation, if applicable, or fulfill a suspension,  
710 or the date by which a fine must be paid.

711 (e) If a violation has been cured before the hearing or in  
712 the manner specified in the written notice required in paragraph  
713 (b) or paragraph (d), a fine or suspension may not be imposed.

714 (f) ~~(e)~~ If a violation is not cured and the proposed fine or  
715 suspension levied by the board is approved by the committee by a  
716 majority vote, the committee must set a date by which the fine  
717 must be paid, which date must be at least 30 days after delivery  
718 of the written notice required in paragraph (d). Attorney fees  
719 and costs may not be awarded against the parcel owner based on  
720 actions taken by the board before the date set for the fine to  
721 be paid.

722 (g) If a violation and the proposed fine or suspension  
723 levied by the board is approved by the committee and the  
724 violation is not cured or the fine is not paid per the written  
725 notice required in paragraph (d), reasonable attorney fees and  
726 costs may be awarded to the association. Attorney fees and costs  
727 may not begin to accrue until after the date noticed for payment  
728 under paragraph (d) and the time for an appeal has expired.

729 (7) Notwithstanding any provision to the contrary in an  
730 association's governing documents, an association may not levy a  
731 fine or impose a suspension for any of the following:

732 (a) Leaving garbage receptacles at the curb or end of the  
733 driveway within 24 hours before or after the designated garbage  
734 collection day or time.

735 (b) Leaving holiday decorations or lights on a structure or  
736 other improvement on a parcel longer than indicated in the



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737 governing documents, unless such decorations or lights are left  
738 up for longer than 1 week after the association provides written  
739 notice of the violation to the parcel owner ~~fine payment is due~~  
740 ~~5 days after notice of the approved fine required under~~  
741 ~~paragraph (d) is provided to the parcel owner and, if~~  
742 ~~applicable, to any occupant, licensee, or invitee of the parcel~~  
743 ~~owner. The association must provide written notice of such fine~~  
744 ~~or suspension by mail or hand delivery to the parcel owner and,~~  
745 ~~if applicable, to any occupant, licensee, or invitee of the~~  
746 ~~parcel owner.~~

747 Section 8. Section 720.3065, Florida Statutes, is amended  
748 to read:

749 720.3065 Fraudulent voting activities relating to  
750 association elections; penalties.-

751 (1) A person who engages in ~~Each of~~ the following acts of  
752 ~~is a~~ fraudulent voting activity relating to association  
753 elections commits and constitutes a misdemeanor of the first  
754 degree, punishable as provided in s. 775.082 or s. 775.083:

755 (a) ~~(1)~~ Willfully and falsely swearing to or affirming an  
756 oath or affirmation, or willfully procuring another person to  
757 falsely swear to or affirm an oath or affirmation, in connection  
758 with or arising out of voting activities.

759 (b) ~~(2)~~ Perpetrating or attempting to perpetrate, or aiding  
760 in the perpetration of, fraud in connection with a vote cast, to  
761 be cast, or attempted to be cast.

762 (c) ~~(3)~~ Preventing a member from voting or preventing a  
763 member from voting as he or she intended by fraudulently  
764 changing or attempting to change a ballot, ballot envelope,  
765 vote, or voting certificate of the member.



766            (d) ~~(4)~~ Menacing, threatening, or using bribery or any other  
767 corruption to attempt, directly or indirectly, to influence,  
768 deceive, or deter a member when the member is voting.

769            (e) ~~(5)~~ Giving or promising, directly or indirectly,  
770 anything of value to another member with the intent to buy the  
771 vote of that member or another member or to corruptly influence  
772 that member or another member in casting his or her vote. This  
773 paragraph subsection does not apply to any food served which is  
774 to be consumed at an election rally or a meeting or to any item  
775 of nominal value which is used as an election advertisement,  
776 including a campaign message designed to be worn by a member.

777            (f) ~~(6)~~ Using or threatening to use, directly or indirectly,  
778 force, violence, or intimidation or any tactic of coercion or  
779 intimidation to induce or compel a member to vote or refrain  
780 from voting in an election or on a particular ballot measure.

781            (2) Each of the following acts constitutes a misdemeanor of  
782 the first degree, punishable as provided in s. 775.082 or s.  
783 775.083:

784            (a) Knowingly aiding, abetting, or advising a person in the  
785 commission of a fraudulent voting activity related to  
786 association elections.

787            (b) Agreeing, conspiring, combining, or confederating with  
788 at least one other person to commit a fraudulent voting activity  
789 related to association elections.

790            (c) Having knowledge of a fraudulent voting activity  
791 related to association elections and giving any aid to the  
792 offender with intent that the offender avoid or escape  
793 detection, arrest, trial, or punishment.

794



795 This subsection does not apply to a licensed attorney giving  
796 legal advice to a client.

797 Section 9. Subsection (3) of section 720.3075, Florida  
798 Statutes, is amended, and paragraph (c) is added to subsection  
799 (4) of that section, to read:

800 720.3075 Prohibited clauses in association documents.—

801 (3) Homeowners' association documents, including  
802 declarations of covenants, articles of incorporation, or bylaws,  
803 may not preclude:

804 (a) The display of up to two portable, removable flags as  
805 described in s. 720.304(2)(a) by property owners. However, all  
806 flags must be displayed in a respectful manner consistent with  
807 the requirements for the United States flag under 36 U.S.C.  
808 chapter 10.

809 (b) A property owner or a tenant, a guest, or an invitee of  
810 the property owner from parking his or her personal vehicle,  
811 including a pickup truck, in the property owner's driveway, or  
812 in any other area at which the property owner or the property  
813 owner's tenant, guest, or invitee has a right to park as  
814 governed by state, county, and municipal regulations. The  
815 homeowners' association documents, including declarations of  
816 covenants, articles of incorporation, or bylaws, may not  
817 prohibit, regardless of any official insignia or visible  
818 designation, a property owner or a tenant, a guest, or an  
819 invitee of the property owner from parking his or her work  
820 vehicle, which is not a commercial motor vehicle as defined in  
821 s. 320.01(25), in the property owner's driveway.

822 (c) A property owner from inviting, hiring, or allowing  
823 entry to a contractor or worker on the owner's parcel solely



824 because the contractor or worker is not on a preferred vendor  
825 list of the association. Additionally, homeowners' association  
826 documents may not preclude a property owner from inviting,  
827 hiring, or allowing entry to a contractor or worker on his or  
828 her parcel solely because the contractor or worker does not have  
829 a professional or an occupational license. The association may  
830 not require a contractor or worker to present or prove  
831 possession of a professional or an occupational license to be  
832 allowed entry onto a property owner's parcel.

833 (d) Operating a vehicle that is not a commercial motor  
834 vehicle as defined in s. 320.01(25) in conformance with state  
835 traffic laws, on public roads or rights-of-way or the property  
836 owner's parcel.

837 Section 10. Subsection (3) of section 720.3085, Florida  
838 Statutes, are amended to read:

839 720.3085 Payment for assessments; lien claims.—

840 (3) Assessments and installments on assessments that are  
841 not paid when due bear interest from the due date until paid at  
842 the rate provided in the declaration of covenants or the bylaws  
843 of the association, which rate may not exceed the rate allowed  
844 by law. If no rate is provided in the declaration or bylaws,  
845 simple interest accrues at the rate of 18 percent per year.  
846 Notwithstanding the declaration or bylaws, compound interest may  
847 not accrue on assessments and installments on assessments that  
848 are not paid when due.

849 (a) If the declaration or bylaws so provide, the  
850 association may also charge an administrative late fee not to  
851 exceed the greater of \$25 or 5 percent of the amount of each  
852 installment that is paid past the due date.



853 (b) Any payment received by an association and accepted  
854 shall be applied first to any interest accrued, then to any  
855 administrative late fee, then to any costs and reasonable  
856 attorney fees incurred in collection, and then to the delinquent  
857 assessment. This paragraph applies notwithstanding any  
858 restrictive endorsement, designation, or instruction placed on  
859 or accompanying a payment. A late fee is not subject to the  
860 provisions of chapter 687 and is not a fine. The foregoing is  
861 applicable notwithstanding s. 673.3111, any purported accord and  
862 satisfaction, or any restrictive endorsement, designation, or  
863 instruction placed on or accompanying a payment. The preceding  
864 sentence is intended to clarify existing law.

865 (c)1. If an association sends out an invoice for  
866 assessments or a parcel's statement of the account described in  
867 s. 720.303(4)(a)10.b. ~~s. 720.303(4)(j)2.~~, the invoice for  
868 assessments or the parcel's statement of account must be  
869 delivered to the parcel owner by first-class United States mail  
870 or by electronic transmission to the parcel owner's e-mail  
871 address maintained in the association's official records.

872 2. Before changing the method of delivery for an invoice  
873 for assessments or the statement of the account, the association  
874 must deliver a written notice of such change to each parcel  
875 owner. The written notice must be delivered to the parcel owner  
876 at least 30 days before the association sends the invoice for  
877 assessments or the statement of the account by the new delivery  
878 method. The notice must be sent by first-class United States  
879 mail to the owner at his or her last address as reflected in the  
880 association's records and, if such address is not the parcel  
881 address, must be sent by first-class United States mail to the



882 parcel address. Notice is deemed to have been delivered upon  
883 mailing as required by this subparagraph.

884 3. A parcel owner must affirmatively acknowledge his or her  
885 understanding that the association will change its method of  
886 delivery of the invoice for assessments or the statement of the  
887 account before the association may change the method of  
888 delivering an invoice for assessments or the statement of  
889 account. The parcel owner may make the affirmative  
890 acknowledgment electronically or in writing.

891 (d) An association may not require payment of attorney fees  
892 related to a past due assessment without first delivering a  
893 written notice of late assessment to the parcel owner which  
894 specifies the amount owed the association and provides the  
895 parcel owner an opportunity to pay the amount owed without the  
896 assessment of attorney fees. The notice of late assessment must  
897 be sent by first-class United States mail to the owner at his or  
898 her last address as reflected in the association's records and,  
899 if such address is not the parcel address, must also be sent by  
900 first-class United States mail to the parcel address. Notice is  
901 deemed to have been delivered upon mailing as required by this  
902 paragraph. A rebuttable presumption that an association mailed a  
903 notice in accordance with this paragraph is established if a  
904 board member, officer, or agent of the association, or a manager  
905 licensed under part VIII of chapter 468, provides a sworn  
906 affidavit attesting to such mailing. The notice must be in  
907 substantially the following form:

908  
909 NOTICE OF LATE ASSESSMENT

910 RE: Parcel .... of ...(name of association)...





911 The following amounts are currently due on your  
912 account to ...(name of association)..., and must be  
913 paid within 30 days after the date of this letter.  
914 This letter shall serve as the association's notice to  
915 proceed with further collection action against your  
916 property no sooner than 30 days after the date of this  
917 letter, unless you pay in full the amounts set forth  
918 below:

919 Maintenance due ...(dates)... \$.  
920 Late fee, if applicable \$.  
921 Interest through ...(dates)...\* \$.  
922 TOTAL OUTSTANDING \$.

923 \*Interest accrues at the rate of .... percent per  
924 annum.

925  
926 Section 11. Section 720.317, Florida Statutes, is amended  
927 to read:

928 720.317 Electronic voting.-

929 (1) The association may conduct elections and other  
930 membership votes through an Internet-based online voting system  
931 if a member consents, electronically or in writing, to online  
932 voting and if the following requirements are met:

933 (a)~~(1)~~ The association provides each member with:

934 1.~~(a)~~ A method to authenticate the member's identity to the  
935 online voting system.

936 2.~~(b)~~ A method to confirm, at least 14 days before the  
937 voting deadline, that the member's electronic device can  
938 successfully communicate with the online voting system.

939 3.~~(c)~~ A method that is consistent with the election and



940 voting procedures in the association's bylaws.

941 (b) ~~(2)~~ The association uses an online voting system that  
942 is:

943 1. ~~(a)~~ Able to authenticate the member's identity.

944 2. ~~(b)~~ Able to authenticate the validity of each electronic  
945 vote to ensure that the vote is not altered in transit.

946 3. ~~(c)~~ Able to transmit a receipt from the online voting  
947 system to each member who casts an electronic vote.

948 4. ~~(d)~~ Able to permanently separate any authentication or  
949 identifying information from the electronic election ballot,  
950 rendering it impossible to tie an election ballot to a specific  
951 member. This subparagraph ~~paragraph~~ only applies if the  
952 association's bylaws provide for secret ballots for the election  
953 of directors.

954 5. ~~(e)~~ Able to store and keep electronic ballots accessible  
955 to election officials for recount, inspection, and review  
956 purposes.

957 (2) ~~(3)~~ A member voting electronically pursuant to this  
958 section shall be counted as being in attendance at the meeting  
959 for purposes of determining a quorum.

960 (3) ~~(4)~~ This section applies to an association that provides  
961 for and authorizes an online voting system pursuant to this  
962 section by a board resolution. The board resolution must provide  
963 that members receive notice of the opportunity to vote through  
964 an online voting system, must establish reasonable procedures  
965 and deadlines for members to consent, electronically or in  
966 writing, to online voting, and must establish reasonable  
967 procedures and deadlines for members to opt out of online voting  
968 after giving consent. Written notice of a meeting at which the



969 board resolution regarding online voting will be considered must  
970 be mailed, delivered, or electronically transmitted to the unit  
971 owners and posted conspicuously on the condominium property or  
972 association property at least 14 days before the meeting.

973 Evidence of compliance with the 14-day notice requirement must  
974 be made by an affidavit executed by the person providing the  
975 notice and filed with the official records of the association.

976 (4) ~~(5)~~ A member's consent to online voting is valid until  
977 the member opts out of online voting pursuant to the procedures  
978 established by the board of administration under subsection (3)  
979 ~~pursuant to subsection (4)~~.

980 (5) ~~(6)~~ This section may apply to any matter that requires a  
981 vote of the members.

982 Section 12. Section 720.318, Florida Statutes, is amended  
983 to read:

984 720.318 First responder ~~Law enforcement~~ vehicles.—An  
985 association may not prohibit a first responder ~~law enforcement~~  
986 ~~officer~~, as defined in s. 112.1815(1) ~~s. 943.10(1)~~, who is a  
987 parcel owner, or who is a tenant, guest, or invitee of a parcel  
988 owner, from parking his or her assigned first responder ~~law~~  
989 ~~enforcement~~ vehicle in an area where the parcel owner, or the  
990 tenant, guest, or invitee of the parcel owner, otherwise has a  
991 right to park, including on public roads or rights-of-way.

992 Section 13. This act shall take effect July 1, 2024.

993  
994 ===== T I T L E A M E N D M E N T =====

995 And the title is amended as follows:

996 Delete everything before the enacting clause  
997 and insert:



A bill to be entitled

998  
999 An act relating to homeowners' associations; amending  
1000 s. 468.4334, F.S.; providing requirements for certain  
1001 community association managers and community  
1002 association management firms; amending s. 468.4337,  
1003 F.S.; requiring certain community association managers  
1004 to take a specific number of hours of continuing  
1005 education biennially; amending s. 720.303, F.S.;

1006 requiring that official records of a homeowners'  
1007 association be maintained for a certain number of  
1008 years; requiring certain associations to post certain  
1009 documents on its website or make available such  
1010 documents through an application by a date certain;  
1011 providing requirements for an association's website or  
1012 application; requiring an association to provide  
1013 certain information to parcel owners upon request;  
1014 requiring an association to ensure certain information  
1015 and records are not accessible on the website or  
1016 application; providing that an association or its  
1017 agent is not liable for the disclosure of certain  
1018 information; requiring an association to adopt certain  
1019 rules; providing criminal penalties; defining the term  
1020 "repeatedly"; requiring an association to provide or  
1021 make available subpoenaed records within a certain  
1022 timeframe; requiring an association to assist in a law  
1023 enforcement investigation as allowed by law; requiring  
1024 that certain associations prepare audited financial  
1025 statements; prohibiting associations from preparing  
1026 financial statements for consecutive years;



1027 prohibiting an association and certain persons from  
1028 using specified debit cards for payment of association  
1029 expenses; providing a criminal penalty; defining the  
1030 term "lawful obligation of the association"; requiring  
1031 a detailed accounting of amounts due to the  
1032 association be given to certain persons within a  
1033 certain timeframe upon written request; limiting how  
1034 often certain persons may request from the board a  
1035 detailed accounting; providing for a waiver of  
1036 outstanding fines which are more than a specified  
1037 timeframe past due under certain circumstances; making  
1038 technical changes; amending s. 720.3033, F.S.;  
1039 providing education requirements for newly elected or  
1040 appointed directors; providing requirements for the  
1041 educational curriculum; requiring certain directors to  
1042 complete a certain number of hours of continuing  
1043 education annually; requiring the Department of  
1044 Business and Professional Regulation to adopt certain  
1045 rules; defining the term "kickback"; providing  
1046 criminal penalties for certain actions by an officer,  
1047 a director, or a manager of an association; providing  
1048 that a vacancy is declared if a director or an officer  
1049 is charged by information or indictment with certain  
1050 crimes; making technical changes; amending s.  
1051 720.3035, F.S.; requiring an association or any  
1052 architectural, construction improvement, or other such  
1053 similar committee of an association to apply and  
1054 enforce certain standards reasonably and equitably;  
1055 prohibiting an association or certain committees of



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1056 the association from enforcing or adopting certain  
1057 covenants, rules, or guidelines; requiring an  
1058 association or any architectural, construction  
1059 improvement, or other such similar committee of an  
1060 association to provide certain written notice to a  
1061 parcel owner; amending s. 720.3045, F.S.; authorizing  
1062 parcel owners or their tenants to install, display, or  
1063 store clotheslines and vegetable gardens under certain  
1064 circumstances; conforming to a provision made by this  
1065 act; amending s. 720.305, F.S.; specifying the manner  
1066 in which fines, suspensions, attorney fees, and costs  
1067 are determined; requiring that certain notices be  
1068 provided to parcel owners and, if applicable, an  
1069 occupant, a licensee, or an invitee of the parcel  
1070 owner; requiring that certain hearings be held within  
1071 a specified timeframe and authorizing such hearings to  
1072 be held by telephone or other electronic means;  
1073 prohibiting a fine or suspension from being imposed if  
1074 a violation has been cured before the hearing;  
1075 requiring the committee to set a hearing no later than  
1076 a specified timeframe if a violation is not cured;  
1077 prohibiting attorney fees and costs from being awarded  
1078 against a parcel owner based on certain actions by the  
1079 board before the date the fine is to be paid;  
1080 prohibiting an association from levying a fine or  
1081 imposing a suspension for certain actions; amending s.  
1082 720.3065, F.S.; providing criminal penalties for  
1083 certain voting violations; providing applicability;  
1084 making technical changes; amending s. 720.3075, F.S.;



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1085 prohibiting certain homeowners' association documents  
1086 from precluding property owners from taking, limiting,  
1087 or requiring certain actions; amending s. 720.3085,  
1088 F.S.; specifying when a lien is effective for  
1089 mortgages of record; deleting provisions relating to  
1090 the priority of certain liens, mortgages, or certified  
1091 judgments; specifying that simple interest accrues on  
1092 assessments and installments on assessments that are  
1093 not paid when due; providing that assessments and  
1094 installments on assessments may not accrue compound  
1095 interest; amending s. 720.317, F.S.; authorizing a  
1096 member to consent electronically to online voting if  
1097 certain conditions are met; amending s. 720.318, F.S.;  
1098 authorizing a law enforcement officer to park his or  
1099 her assigned law enforcement vehicle on public roads  
1100 and rights-of-way; providing an effective date.