

1 A bill to be entitled
2 An act relating to homeowners' associations; amending
3 s. 468.4334, F.S.; providing requirements for certain
4 community association managers and community
5 association management firms; amending s. 468.4337,
6 F.S.; requiring certain community association managers
7 to take a specific number of hours of continuing
8 education biennially; amending s. 720.303, F.S.;
9 requiring official records of a homeowners'
10 association to be maintained for a certain number of
11 years; requiring an association to post certain
12 documents on its website or make such documents
13 available through an application by a date certain;
14 providing requirements for an association's website or
15 application; requiring an association to provide
16 certain information to parcel owners upon request;
17 requiring an association to ensure certain information
18 and records are not accessible on the website or
19 application; providing that an association or its
20 agent is not liable for the disclosure of certain
21 information; requiring an association to adopt certain
22 rules; requiring an association to provide or make
23 available subpoenaed records within a certain
24 timeframe; requiring an association to assist in a law
25 enforcement investigation as allowed by law; requiring

26 | that certain associations use an independent certified
27 | public accountant to prepare its annual budget;
28 | requiring certain associations to retain an attorney
29 | for certain purposes; prohibiting certain persons from
30 | acting as the accountant or attorney; amending s.
31 | 720.3033, F.S.; providing education requirements for
32 | newly elected or appointed directors; providing
33 | requirements for the educational curriculum; requiring
34 | certain newly elected or appointed directors to
35 | complete a certain number of hours of continuing
36 | education annually; requiring the Department of
37 | Business and Professional Regulation to adopt certain
38 | rules; providing criminal penalties for certain
39 | actions by an officer, a director, or a manager of an
40 | association; amending s. 720.3035, F.S.; requiring an
41 | association or any architectural, construction
42 | improvement, or other such similar committee of an
43 | association to apply and enforce certain standards
44 | reasonably and equitably; requiring an association or
45 | any architectural, construction improvement, or other
46 | such similar committee of an association to provide
47 | certain written notice to a parcel owner; amending s.
48 | 720.3085, F.S.; conforming a cross-reference;
49 | providing an effective date.
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51 Be It Enacted by the Legislature of the State of Florida:

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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 homeowners' association must do all of the following:

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

(b) Provide to the members of the homeowners' association the name and contact information for each community association manager or representative of a community association management firm assigned to the homeowners' association, the manager's or representative's hours of availability, and a summary of the duties for which the manager or representative is responsible. The homeowners' association must also post this information on the association's website or application required under s. 720.303(4) (b). The community association manager or community association management firm must update the homeowners' association and its members within 14 business days after any change to such information.

(c) Provide to any member upon request a copy of the

76 contract between the community association manager or community
 77 association management firm and the homeowners' association and
 78 include such contract with association's governing documents.

79 Section 2. Section 468.4337, Florida Statutes, is amended
 80 to read:

81 468.4337 Continuing education.—The department may not
 82 renew a license until the licensee submits proof that the
 83 licensee has completed the requisite hours of continuing
 84 education. ~~No more than 10 hours of continuing education~~
 85 ~~annually shall be required for renewal of a license.~~ The number
 86 of continuing education hours, criteria, and course content
 87 shall be approved by the council by rule. The council may not
 88 require more than 10 hours of continuing education annually for
 89 renewal of a license. A community association manager who
 90 provides community association management services to a
 91 homeowners' association must biennially complete at least 5
 92 hours of continuing education that pertains specifically to
 93 homeowners' associations, 3 hours of which must relate to
 94 recordkeeping.

95 Section 3. Subsections (4) and (5) and paragraphs (a),
 96 (d), and (f) of subsection (6) of section 720.303, Florida
 97 Statutes, are amended to read:

98 720.303 Association powers and duties; meetings of board;
 99 official records; budgets; financial reporting; association
 100 funds; recalls.—

101 (4) OFFICIAL RECORDS.—

102 (a) The association shall maintain each of the following
103 items, when applicable, for at least 7 years, unless the
104 governing documents of the association require a longer period
105 of time, which constitute the official records of the
106 association:

107 1.(a) Copies of any plans, specifications, permits, and
108 warranties related to improvements constructed on the common
109 areas or other property that the association is obligated to
110 maintain, repair, or replace.

111 2.(b) A copy of the bylaws of the association and of each
112 amendment to the bylaws.

113 3.(c) A copy of the articles of incorporation of the
114 association and of each amendment thereto.

115 4.(d) A copy of the declaration of covenants and a copy of
116 each amendment thereto.

117 5.(e) A copy of the current rules of the homeowners'
118 association.

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

122 7.(g) A current roster of all members and their designated
123 mailing addresses and parcel identifications. A member's
124 designated mailing address is the member's property address,
125 unless the member has sent written notice to the association

126 requesting that a different mailing address be used for all
 127 required notices. The association shall also maintain the e-mail
 128 addresses and the facsimile numbers designated by members for
 129 receiving notice sent by electronic transmission of those
 130 members consenting to receive notice by electronic transmission.
 131 A member's e-mail address is the e-mail address the member
 132 provided when consenting in writing to receiving notice by
 133 electronic transmission, unless the member has sent written
 134 notice to the association requesting that a different e-mail
 135 address be used for all required notices. The e-mail addresses
 136 and facsimile numbers provided by members to receive notice by
 137 electronic transmission must be removed from association records
 138 when the member revokes consent to receive notice by electronic
 139 transmission. However, the association is not liable for an
 140 erroneous disclosure of the e-mail address or the facsimile
 141 number for receiving electronic transmission of notices.

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

145 9.~~(i)~~ A current copy of all contracts to which the
 146 association is a party, including, without limitation, any
 147 management agreement, lease, or other contract under which the
 148 association has any obligation or responsibility. Bids received
 149 by the association for work to be performed are ~~must also be~~
 150 considered official records and must be kept for a period of 1

151 year.

152 10.~~(j)~~ The financial and accounting records of the
 153 association, kept according to good accounting practices. ~~All~~
 154 ~~financial and accounting records must be maintained for a period~~
 155 ~~of at least 7 years.~~ The financial and accounting records must
 156 include:

157 a.1. Accurate, itemized, and detailed records of all
 158 receipts and expenditures.

159 b.2. A current account and a periodic statement of the
 160 account for each member, designating the name and current
 161 address of each member who is obligated to pay assessments, the
 162 due date and amount of each assessment or other charge against
 163 the member, the date and amount of each payment on the account,
 164 and the balance due.

165 c.3. All tax returns, financial statements, and financial
 166 reports of the association.

167 d.4. Any other records that identify, measure, record, or
 168 communicate financial information.

169 11.~~(k)~~ A copy of the disclosure summary described in s.
 170 720.401(1).

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

175 13.~~(m)~~ All affirmative acknowledgments made pursuant to s.

176 720.3085(3)(c)3.

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

180 (b)1. By January 1, 2025, an association shall post a
181 current digital copy of the documents specified in paragraph (a)
182 on its website or make such documents available through an
183 application that can be downloaded on a mobile device.

184 2. The association's website or application must be
185 accessible through the Internet and must contain a subpage, web
186 portal, or other protected electronic location that is
187 inaccessible to the general public and accessible only to parcel
188 owners and employees of the association.

189 3. Upon written request by a parcel owner, the association
190 must provide the parcel owner with a username and password and
191 access to the protected sections of the association's website or
192 application which contains the official documents of the
193 association.

194 4. The association shall ensure that the information and
195 records described in paragraph (5)(d), which are not allowed to
196 be accessible to parcel owners, are not posted on the
197 association's website or application. If protected information
198 or information restricted from being accessible to parcel owners
199 is included in documents that are required to be posted on the
200 association's website or application, the association must

201 ensure the information is redacted before posting the documents.
 202 Notwithstanding the foregoing, the association or its authorized
 203 agent is not liable for disclosing information that is protected
 204 or restricted under paragraph (5) (d) unless such disclosure was
 205 made with a knowing or intentional disregard of the protected or
 206 restricted nature of such information.

207 (c) The association shall adopt written rules governing
 208 the method or policy by which the official records of the
 209 association are to be retained and for how long such records
 210 must be retained. Such information must be made available to the
 211 parcel owners through the association's website or application.

212 (5) INSPECTION AND COPYING OF RECORDS.—Unless otherwise
 213 provided by law or the governing documents of the association,
 214 the official records must ~~shall~~ be maintained within the state
 215 for at least 7 years and ~~shall~~ be made available to a parcel
 216 owner for inspection or photocopying within 45 miles of the
 217 community or within the county in which the association is
 218 located within 10 business days after receipt by the board or
 219 its designee of a written request from the parcel owner. This
 220 subsection may be complied with by having a copy of the official
 221 records available for inspection or copying in the community or,
 222 ~~at the option of the association,~~ by making the records
 223 available to a parcel owner electronically via the association's
 224 website or application ~~Internet~~ or by allowing the records to be
 225 viewed in electronic format on a computer screen and printed

226 upon request. If the association has a photocopy machine
227 available where the records are maintained, it must provide
228 parcel owners with copies on request during the inspection if
229 the entire request is limited to no more than 25 pages. An
230 association shall allow a member or his or her authorized
231 representative to use a portable device, including a smartphone,
232 tablet, portable scanner, or any other technology capable of
233 scanning or taking photographs, to make an electronic copy of
234 the official records in lieu of the association's providing the
235 member or his or her authorized representative with a copy of
236 such records. The association may not charge a fee to a member
237 or his or her authorized representative for the use of a
238 portable device.

239 (a) The failure of an association to provide access to the
240 records within 10 business days after receipt of a written
241 request submitted by certified mail, return receipt requested,
242 creates a rebuttable presumption that the association willfully
243 failed to comply with this subsection.

244 (b) A member who is denied access to official records is
245 entitled to the actual damages or minimum damages for the
246 association's willful failure to comply with this subsection.
247 The minimum damages are to be \$50 per calendar day up to 10
248 days, the calculation to begin on the 11th business day after
249 receipt of the written request.

250 (c) The association may adopt reasonable written rules

251 governing the frequency, time, location, notice, records to be
252 inspected, and manner of inspections, but may not require a
253 parcel owner to demonstrate any proper purpose for the
254 inspection, state any reason for the inspection, or limit a
255 parcel owner's right to inspect records to less than one 8-hour
256 business day per month. The association may impose fees to cover
257 the costs of providing copies of the official records, including
258 the costs of copying and the costs required for personnel to
259 retrieve and copy the records if the time spent retrieving and
260 copying the records exceeds one-half hour and if the personnel
261 costs do not exceed \$20 per hour. Personnel costs may not be
262 charged for records requests that result in the copying of 25 or
263 fewer pages. The association may charge up to 25 cents per page
264 for copies made on the association's photocopier. If the
265 association does not have a photocopy machine available where
266 the records are kept, or if the records requested to be copied
267 exceed 25 pages in length, the association may have copies made
268 by an outside duplicating service and may charge the actual cost
269 of copying, as supported by the vendor invoice. The association
270 shall maintain an adequate number of copies of the recorded
271 governing documents, to ensure their availability to members and
272 prospective members.

273 (d) Notwithstanding this subsection ~~paragraph~~, the
274 following records are not accessible to members or parcel
275 owners:

276 1. Any record protected by the lawyer-client privilege as
277 described in s. 90.502 and any record protected by the work-
278 product privilege, including, but not limited to, a record
279 prepared by an association attorney or prepared at the
280 attorney's express direction which reflects a mental impression,
281 conclusion, litigation strategy, or legal theory of the attorney
282 or the association and which was prepared exclusively for civil
283 or criminal litigation or for adversarial administrative
284 proceedings or which was prepared in anticipation of such
285 litigation or proceedings until the conclusion of the litigation
286 or proceedings.

287 2. Information obtained by an association in connection
288 with the approval of the lease, sale, or other transfer of a
289 parcel.

290 3. Information an association obtains in a gated community
291 in connection with guests' visits to parcel owners or community
292 residents.

293 4. Personnel records of association or management company
294 employees, including, but not limited to, disciplinary, payroll,
295 health, and insurance records. For purposes of this
296 subparagraph, the term "personnel records" does not include
297 written employment agreements with an association or management
298 company employee or budgetary or financial records that indicate
299 the compensation paid to an association or management company
300 employee.

301 5. Medical records of parcel owners or community
302 residents.

303 6. Social security numbers, driver license numbers, credit
304 card numbers, electronic mailing addresses, telephone numbers,
305 facsimile numbers, emergency contact information, any addresses
306 for a parcel owner other than as provided for association notice
307 requirements, and other personal identifying information of any
308 person, excluding the person's name, parcel designation, mailing
309 address, and property address. Notwithstanding the restrictions
310 in this subparagraph, an association may print and distribute to
311 parcel owners a directory containing the name, parcel address,
312 and all telephone numbers of each parcel owner. However, an
313 owner may exclude his or her telephone numbers from the
314 directory by so requesting in writing to the association. An
315 owner may consent in writing to the disclosure of other contact
316 information described in this subparagraph. The association is
317 not liable for the disclosure of information that is protected
318 under this subparagraph if the information is included in an
319 official record of the association and is voluntarily provided
320 by an owner and not requested by the association.

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

323 8. The software and operating system used by the
324 association which allows the manipulation of data, even if the
325 owner owns a copy of the same software used by the association.

326 The data is part of the official records of the association.

327 9. All affirmative acknowledgments made pursuant to s.
328 720.3085(3)(c)3.

329 ~~(e)(d)~~ The association or its authorized agent is not
330 required to provide a prospective purchaser or lienholder with
331 information about the residential subdivision or the association
332 other than information or documents required by this chapter to
333 be made available or disclosed. The association or its
334 authorized agent may charge a reasonable fee to the prospective
335 purchaser or lienholder or the current parcel owner or member
336 for providing good faith responses to requests for information
337 by or on behalf of a prospective purchaser or lienholder, other
338 than that required by law, if the fee does not exceed \$150 plus
339 the reasonable cost of photocopying and any attorney fees
340 incurred by the association in connection with the response.

341 (f) If an association receives a subpoena for records from
342 a law enforcement agency, the association must provide a copy of
343 such records or otherwise make the records available for
344 inspection and copying to a law enforcement agency within 5
345 business days after receipt of the subpoena, unless otherwise
346 specified by the law enforcement agency or subpoena. An
347 association must assist a law enforcement agency in its
348 investigation to the extent permissible by law.

349 (6) BUDGETS.—

350 (a)1. The association shall prepare an annual budget that

351 sets out the annual operating expenses. The budget must reflect
352 the estimated revenues and expenses for that year and the
353 estimated surplus or deficit as of the end of the current year.
354 The budget must set out separately all fees or charges paid for
355 by the association for recreational amenities, whether owned by
356 the association, the developer, or another person. The
357 association shall provide each member with a copy of the annual
358 budget or a written notice that a copy of the budget is
359 available upon request at no charge to the member. The copy must
360 be provided to the member within the time limits set forth in
361 subsection (5).

362 2. An association that has 2,500 members or more must use
363 an independent certified public accountant to prepare the
364 association's annual budget. Such association must also retain
365 an attorney to advise the association and its members on
366 procedural matters relating to the annual budget and to foster
367 communications between the board and the members of the
368 association. The independent certified public accountant or
369 attorney required under this subparagraph may not be:

370 a. The community association manager or an employee of the
371 community association management firm providing community
372 association management services to the association; or

373 b. An officer or a director of the association or an
374 immediate family member of an officer or a director.

375 (d) An association is deemed to have provided for reserve

376 accounts upon the affirmative approval of a majority of the
377 total voting interests of the association. Such approval may be
378 obtained by vote of the members at a duly called meeting of the
379 membership or by the written consent of a majority of the total
380 voting interests of the association. The approval action of the
381 membership must state that reserve accounts shall be provided
382 for in the budget and must designate the components for which
383 the reserve accounts are to be established. Upon approval by the
384 membership, the board of directors or the independent certified
385 public accountant, if required under paragraph (a), shall
386 include the required reserve accounts in the budget in the next
387 fiscal year following the approval and each year thereafter.
388 Once established as provided in this subsection, the reserve
389 accounts must be funded or maintained or have their funding
390 waived in the manner provided in paragraph (f).

391 (f) After one or more reserve accounts are established,
392 the membership of the association, upon a majority vote at a
393 meeting at which a quorum is present, may provide for no
394 reserves or less reserves than required by this section. If a
395 meeting of the parcel ~~unit~~ owners has been called to determine
396 whether to waive or reduce the funding of reserves and such
397 result is not achieved or a quorum is not present, the reserves
398 as included in the budget go into effect. After the turnover,
399 the developer may vote its voting interest to waive or reduce
400 the funding of reserves. Any vote taken pursuant to this

401 subsection to waive or reduce reserves is applicable only to one
 402 budget year.

403 Section 4. Subsections (1) and (3) of section 720.3033,
 404 Florida Statutes, are amended to read:

405 720.3033 Officers and directors.—

406 (1)(a) Within 90 days after being elected or appointed to
 407 the board, each ~~director shall certify in writing to the~~
 408 ~~secretary of the association that he or she has read the~~
 409 ~~association's declaration of covenants, articles of~~
 410 ~~incorporation, bylaws, and current written rules and policies;~~
 411 ~~that he or she will work to uphold such documents and policies~~
 412 ~~to the best of his or her ability; and that he or she will~~
 413 ~~faithfully discharge his or her fiduciary responsibility to the~~
 414 ~~association's members. Within 90 days after being elected or~~
 415 ~~appointed to the board, in lieu of such written certification,~~
 416 ~~the newly elected or appointed director must ~~may~~ submit a~~
 417 certificate of having satisfactorily completed the educational
 418 curriculum administered by a department-approved ~~division-~~
 419 ~~approved~~ education provider.

420 1. The newly elected or appointed director must complete
 421 the department-approved education within 90 days after being
 422 elected or appointed.

423 2. The certificate of completion is valid for a maximum of
 424 4 years.

425 3. A director must complete such education at least every

426 4 years.

427 4. The department-approved educational curriculum must
428 include training relating to financial literacy and
429 transparency, recordkeeping, levying of fines, and notice and
430 meeting requirements.

431 5. A newly elected or appointed director of an association
432 that has fewer than 1,000 members must complete at least 4 hours
433 of continuing education annually.

434 6. A newly elected or appointed director of an association
435 that has 1,000 members or more must complete at least 8 hours of
436 continuing education annually ~~within 1 year before or 90 days~~
437 ~~after the date of election or appointment.~~

438 ~~(b) The written certification or educational certificate~~
439 ~~is valid for the uninterrupted tenure of the director on the~~
440 ~~board.~~ A director who does not timely file the written
441 ~~certification or educational certificate~~ is ~~shall be~~ suspended
442 from the board until he or she complies with the requirement.
443 The board may temporarily fill the vacancy during the period of
444 suspension.

445 (c) The association shall retain each director's ~~written~~
446 ~~certification or educational certificate~~ for inspection by the
447 members for 5 years after the director's election. However, the
448 failure to have the written certification or educational
449 certificate on file does not affect the validity of any board
450 action.

451 (d) The department shall adopt rules to implement and
 452 administer the educational curriculum and continuing education
 453 requirements under this subsection.

454 (3) An officer, a director, or a manager may not solicit,
 455 offer to accept, ~~or accept,~~ or receive any thing or service of
 456 value for which consideration has not been provided for his or
 457 her benefit or for the benefit of a member of his or her
 458 immediate family from any person providing or proposing to
 459 provide goods or services to the association. An officer, a
 460 director, or a manager who knowingly solicits, offers to accept,
 461 ~~or accepts,~~ or receives any thing or service of value or
 462 kickback that is at least \$25 but not more than \$1,000 for which
 463 consideration has not been provided for his or her own benefit
 464 or that of his or her immediate family from any person providing
 465 or proposing to provide goods or services to the association
 466 commits a misdemeanor of the first degree, punishable as
 467 provided in s. 775.082 or s. 775.083 and is subject to monetary
 468 damages under s. 617.0834. If such thing or kickback is valued
 469 at \$1,000 or more, the officer, director, or manager commits a
 470 felony of the third degree, punishable as provided in s.
 471 775.082, s. 775.083, or s. 775.084 and is subject to monetary
 472 damages under s. 617.0834. If the board finds that an officer or
 473 a director has violated this subsection, the board shall
 474 immediately remove the officer or director from office. The
 475 vacancy shall be filled according to law until the end of the

476 officer's or director's term of office. However, an officer, a
 477 director, or a manager may accept food to be consumed at a
 478 business meeting with a value of less than \$25 per individual or
 479 a service or good received in connection with trade fairs or
 480 education programs.

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

483 720.3035 Architectural control covenants; parcel owner
 484 improvements; rights and privileges.—

485 (1) The authority of an association or any architectural,
 486 construction improvement, or other such similar committee of an
 487 association to review and approve plans and specifications for
 488 the location, size, type, or appearance of any structure or
 489 other improvement on a parcel, or to enforce standards for the
 490 external appearance of any structure or improvement located on a
 491 parcel, ~~is shall be~~ permitted only to the extent that the
 492 authority is specifically stated or reasonably inferred as to
 493 such location, size, type, or appearance in the declaration of
 494 covenants or other published guidelines and standards authorized
 495 by the declaration of covenants. An association or any
 496 architectural, construction improvement, or similar committee of
 497 an association must reasonably and equitably apply and enforce
 498 on all parcel owners the architectural and construction
 499 improvement standards authorized by the declaration of covenants
 500 or other published guidelines and standards authorized by the

501 declaration of covenants.

502 (4) Each parcel owner is ~~shall be~~ entitled to the rights
 503 and privileges set forth in the declaration of covenants or
 504 other published guidelines and standards authorized by the
 505 declaration of covenants concerning the architectural use of the
 506 parcel, and the construction of permitted structures and
 507 improvements on the parcel and such rights and privileges may
 508 ~~shall~~ not be unreasonably infringed upon or impaired by the
 509 association or any architectural, construction improvement, or
 510 other such similar committee of the association. If the
 511 association or any architectural, construction improvement, or
 512 other such similar committee of the association denies a parcel
 513 owner's request or application for the construction of a
 514 structure or other improvement on a parcel, the association or
 515 committee must provide written notice to the parcel owner
 516 stating with specificity the rule or covenant on which the
 517 association or committee relied when denying the request or
 518 application and the specific aspect or part of the proposed
 519 improvement that does not conform to such rule or covenant. If
 520 the association or any architectural, construction improvement,
 521 or other such similar committee of the association should
 522 unreasonably, knowingly, and willfully infringe upon or impair
 523 the rights and privileges set forth in the declaration of
 524 covenants or other published guidelines and standards authorized
 525 by the declaration of covenants, the adversely affected parcel

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526 | owner ~~is shall be~~ entitled to recover damages caused by such
527 | infringement or impairment, including any costs and reasonable
528 | attorney ~~attorney's~~ fees incurred in preserving or restoring the
529 | rights and privileges of the parcel owner set forth in the
530 | declaration of covenants or other published guidelines and
531 | standards authorized by the declaration of covenants.

532 | Section 6. Paragraph (c) of subsection (3) of section
533 | 720.3085, Florida Statutes, is amended to read:

534 | 720.3085 Payment for assessments; lien claims.—

535 | (3) Assessments and installments on assessments that are
536 | not paid when due bear interest from the due date until paid at
537 | the rate provided in the declaration of covenants or the bylaws
538 | of the association, which rate may not exceed the rate allowed
539 | by law. If no rate is provided in the declaration or bylaws,
540 | interest accrues at the rate of 18 percent per year.

541 | (c)1. If an association sends out an invoice for
542 | assessments or a parcel's statement of the account described in
543 | s. 720.303(4)(a)10.b. ~~s. 720.303(4)(j)2.~~, the invoice for
544 | assessments or the parcel's statement of account must be
545 | delivered to the parcel owner by first-class United States mail
546 | or by electronic transmission to the parcel owner's e-mail
547 | address maintained in the association's official records.

548 | 2. Before changing the method of delivery for an invoice
549 | for assessments or the statement of the account, the association
550 | must deliver a written notice of such change to each parcel

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551 owner. The written notice must be delivered to the parcel owner
552 at least 30 days before the association sends the invoice for
553 assessments or the statement of the account by the new delivery
554 method. The notice must be sent by first-class United States
555 mail to the owner at his or her last address as reflected in the
556 association's records and, if such address is not the parcel
557 address, must be sent by first-class United States mail to the
558 parcel address. Notice is deemed to have been delivered upon
559 mailing as required by this subparagraph.

560 3. A parcel owner must affirmatively acknowledge his or
561 her understanding that the association will change its method of
562 delivery of the invoice for assessments or the statement of the
563 account before the association may change the method of
564 delivering an invoice for assessments or the statement of
565 account. The parcel owner may make the affirmative
566 acknowledgment electronically or in writing.

567 Section 7. This act shall take effect July 1, 2024.