

By Senator Osgood

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1 A bill to be entitled
2 An act relating to condominium structural integrity
3 reserve studies; amending s. 553.899, F.S.; defining
4 the term "structural integrity reserve study";
5 requiring condominium associations that govern a
6 building of a specified height to conduct a structural
7 integrity reserve study for a specified purpose;
8 providing that condominium associations that govern a
9 building that does not meet such specified height
10 requirement are not required to conduct a structural
11 integrity reserve study; authorizing certain
12 condominium associations to elect, by a majority vote
13 of their members, to waive or reduce reserve
14 contributions; providing construction; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Present paragraph (b) of subsection (2) of
20 section 553.899, Florida Statutes, is redesignated as paragraph
21 (c), present subsections (3) through (13) of that section are
22 redesignated as subsections (4) through (14), respectively, a
23 new paragraph (b) is added to subsection (2) of that section, a
24 new subsection (3) is added to that section, and paragraph (d)
25 of present subsection (3) and present subsections (6) and (7) of
26 that section are amended, to read:

27 553.899 Mandatory structural inspections for condominium
28 and cooperative buildings.—

29 (2) As used in this section, the terms:

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30 (b) "Structural integrity reserve study" has the same
31 meaning as in s. 718.103.

32 (3) (a) Condominium associations that govern a building that
33 is six stories or more in height, as determined by the Florida
34 Building Code, must conduct a structural integrity reserve study
35 of the building for the purpose of estimating future
36 maintenance, repair, and replacement costs of common elements
37 and funding adequate reserves based on the findings of the
38 study.

39 (b) Condominium associations that govern a building that is
40 five stories or less in height, as determined by the Florida
41 Building Code, are not required to conduct a structural
42 integrity reserve study of the building and may, by a majority
43 vote of the unit owners present at a duly called meeting, elect
44 to waive or reduce reserve contributions.

45 (c) A structural integrity reserve study conducted pursuant
46 to this subsection must comply with the standards established
47 under s. 718.112(2)(g).

48 (4) ~~(3)~~

49 (d) The local enforcement agency may accept an inspection
50 report prepared by a licensed engineer or architect for a
51 structural integrity and condition inspection of a building
52 performed before July 1, 2022, if the inspection and report
53 substantially comply with the requirements of this section.
54 Notwithstanding when such inspection was completed, the
55 condominium or cooperative association must comply with the unit
56 owner notice requirements in subsection (10) ~~(9)~~. The inspection
57 for which an inspection report is accepted by the local
58 enforcement agency under this paragraph is deemed a milestone

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59 inspection for the applicable requirements in chapters 718 and
60 719. If a previous inspection and report is accepted by the
61 local enforcement agency under this paragraph, the deadline for
62 the building's subsequent 10-year milestone inspection is based
63 on the date of the accepted previous inspection.

64 (7)~~(6)~~ Phase one of the milestone inspection must be
65 completed within 180 days after the owner or owners of the
66 building receive the written notice under subsection (6) ~~(5)~~.
67 For purposes of this section, completion of phase one of the
68 milestone inspection means the licensed engineer or architect
69 who performed the phase one inspection submitted the inspection
70 report by e-mail, United States Postal Service, or commercial
71 delivery service to the local enforcement agency.

72 (8)~~(7)~~ A milestone inspection consists of two phases:

73 (a) For phase one of the milestone inspection, a licensed
74 architect or engineer authorized to practice in this state shall
75 perform a visual examination of habitable and nonhabitable areas
76 of a building, including the major structural components of a
77 building, and provide a qualitative assessment of the structural
78 conditions of the building. If the architect or engineer finds
79 no signs of substantial structural deterioration to any building
80 components under visual examination, phase two of the
81 inspection, as provided in paragraph (b), is not required. An
82 architect or engineer who completes a phase one milestone
83 inspection shall prepare and submit an inspection report
84 pursuant to subsection (9) ~~(8)~~.

85 (b) A phase two of the milestone inspection must be
86 performed if any substantial structural deterioration is
87 identified during phase one. A phase two inspection may involve

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88 destructive or nondestructive testing at the inspector's
89 direction. The inspection may be as extensive or as limited as
90 necessary to fully assess areas of structural distress in order
91 to confirm that the building is structurally sound and safe for
92 its intended use and to recommend a program for fully assessing
93 and repairing distressed and damaged portions of the building.
94 When determining testing locations, the inspector must give
95 preference to locations that are the least disruptive and most
96 easily repairable while still being representative of the
97 structure. If a phase two inspection is required, within 180
98 days after submitting a phase one inspection report the
99 architect or engineer performing the phase two inspection must
100 submit a phase two progress report to the local enforcement
101 agency with a timeline for completion of the phase two
102 inspection. An inspector who completes a phase two milestone
103 inspection shall prepare and submit an inspection report
104 pursuant to subsection (9) ~~(8)~~.

105 Section 2. This act shall take effect July 1, 2025.