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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/RE/2R

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04/30/2025 12:32 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. Paragraph (h) is added to subsection (2) of
section 468.432, Florida Statutes, and subsection (3) is added
to that section, to read:

468.432 Licensure of community association managers and
community association management firms; exceptions.—

(2) A community association management firm or other
similar organization responsible for the management of more than



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12 10 units or a budget of \$100,000 or greater shall not engage or
13 hold itself out to the public as being able to engage in the
14 business of community association management in this state
15 unless it is licensed by the department as a community
16 association management firm in accordance with the provisions of
17 this part.

18 (h) A person who has had his or her community association
19 manager license revoked may not have an indirect or direct
20 ownership interest in, or be an employee, a partner, an officer,
21 a director, or a trustee of, a community association management
22 firm during the 10-year period after the effective date of the
23 revocation. Such person is ineligible to reapply for
24 certification or registration under this part for a period of 10
25 years after the effective date of a revocation.

26 (3) A licensee must create and maintain an online licensure
27 account with the department. Each community association manager
28 must identify on his or her online licensure account the
29 community association management firm for which he or she
30 provides management services and identify each community
31 association for which he or she is the designated onsite
32 community association manager. A licensee must update his or her
33 online licensure account with this information within 30 days
34 after any change to the required information. A community
35 association management firm must identify on its online
36 licensure account the community association managers that it
37 employs to provide community association management services. If
38 a community association manager has his or her license suspended
39 or revoked, the department must give written notice of such
40 suspension or revocation to the community association management



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41 firm and the community association for which the manager
42 performs community management services.

43 Section 2. Subsections (1) and (3) of section 468.4334,
44 Florida Statutes, are amended to read:

45 468.4334 Professional practice standards; liability;
46 community association manager requirements; return of records
47 after termination of contract.-

48 (1) (a) A community association manager or a community
49 association management firm is deemed to act as agent on behalf
50 of a community association as principal within the scope of
51 authority authorized by a written contract or under this
52 chapter. A community association manager or a community
53 association management firm may not knowingly perform any act
54 directed by the community association if such an act violates
55 any state or federal law. A community association manager and a
56 community association management firm shall discharge duties
57 performed on behalf of the association as authorized by this
58 chapter loyally, skillfully, and diligently; dealing honestly
59 and fairly; in good faith; with care and full disclosure to the
60 community association; accounting for all funds; and not
61 charging unreasonable or excessive fees.

62 (b) If a community association manager or a community
63 association management firm has a contract with a community
64 association that is subject to the milestone inspection
65 requirements in s. 553.899, or the structural integrity reserve
66 study requirements in s. 718.112(2)(g) and 719.106(1)(k), the
67 community association manager or the community association
68 management firm must comply with those sections ~~that section~~ as
69 directed by the board.



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70 (c) Each contract between a community association and a
71 community association manager or community association
72 management firm for community association management services
73 must include the following written statement in at least 12-
74 point type, if applicable to the type of management services
75 provided in the contract:

76
77 The community association manager shall abide by all
78 professional standards and record keeping requirements
79 imposed pursuant to part VIII of chapter 468, Florida
80 Statutes.

81
82 (d) A contract between a community association manager or
83 community association management firm and a community
84 association may not waive or limit the professional practice
85 standards required pursuant to this part.

86 (3) A community association manager or community
87 association management firm that is authorized by contract to
88 provide community association management services to a community
89 ~~homeowners'~~ association shall do all of the following:

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

92 (b) Provide to the members of the community ~~homeowners'~~
93 association the name and contact information for each community
94 association manager or representative of a community association
95 management firm assigned to the community ~~homeowners'~~
96 association, the manager's or representative's hours of
97 availability, and a summary of the duties for which the manager
98 or representative is responsible. The community ~~homeowners'~~



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99 association shall also post this information on the
100 association's website or mobile application, if the association
101 is required to maintain official records on a website or
102 application ~~required under s. 720.303(4)(b)~~. The community
103 association manager or community association management firm
104 shall update the community homeowners' association and its
105 members within 14 business days after any change to such
106 information.

107 (c) Provide to any member upon request a copy of the
108 contract between the community association manager or community
109 association management firm and the community homeowners'
110 association and include such contract with association's
111 official records.

112 Section 3. Section 468.4335, Florida Statutes, is amended
113 to read:

114 468.4335 Conflicts of interest.—

115 (1) A community association manager or a community
116 association management firm, including directors, officers, and
117 persons with a financial interest in a community association
118 management firm, or a relative of such persons, must disclose to
119 the board of a community association any activity that may
120 reasonably be construed to be a conflict of interest. A
121 rebuttable presumption of a conflict of interest exists if any
122 of the following occurs without prior notice:

123 (a) A community association manager or a community
124 association management firm, including directors, officers, and
125 persons with a financial interest in a community association
126 management firm, or a relative of such persons, proposes to
127 enter into a contract or other transaction with the association,



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128 or enters into a contract for goods or services with the
129 association, for services other than community association
130 management services.

131 (b) A community association manager or a community
132 association management firm, including directors, officers, and
133 persons with a financial interest in a community association
134 management firm, or a relative of such persons, holds an
135 interest in or receives compensation ~~or any thing of value~~ from
136 a person as defined in s. 1.01(3) which ~~corporation, limited~~
137 ~~liability corporation, partnership, limited liability~~
138 ~~partnership, or other business entity that~~ conducts business
139 with the association or proposes to enter into a contract or
140 other transaction with the association. As used in this
141 paragraph, the term "compensation" means any referral fee or
142 other monetary benefit derived from a person as defined in s.
143 1.01(3) which provides products or services to the association,
144 and any ownership interests or profit-sharing arrangements with
145 product or service providers recommended to or used by the
146 association.

147 (2) If the association receives and considers a bid that
148 exceeds \$2,500 to provide a good or service, ~~other than~~
149 community association management services which is or may
150 reasonably be construed to be a conflict of interest under
151 subsection (1), ~~from a community association manager or a~~
152 ~~community association management firm, including directors,~~
153 ~~officers, and persons with a financial interest in a community~~
154 ~~association management firm, or a relative of such persons,~~ the
155 association must solicit multiple bids from other third-party
156 providers of such goods or services. This subsection does not



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157 apply to any activities or the provision of goods or services
158 that are disclosed in the management services contract as a
159 conflict of interest within the meaning of subsection (1).

160 (3) If a community association manager or a community
161 association management firm, including directors, officers, and
162 persons with a financial interest in a community association
163 management firm, or a relative of such persons, proposes to
164 engage in an activity that is a conflict of interest as
165 described in subsection (1), the proposed activity must be
166 ~~listed on, and all contracts and transactional documents related~~
167 ~~to the proposed activity must be attached to,~~ the meeting agenda
168 of the next board of administration meeting. The notice for the
169 meeting at which the proposed activity will be considered by the
170 board must include a description of the proposed activity,
171 disclose the possible conflict of interest, and include a copy
172 of all contracts and transactional documents related to the
173 proposed activity. The disclosures of a possible conflict of
174 interest must be entered into the written minutes of the
175 meeting. Approval of the contract, including a management
176 contract between the community association and the community
177 association manager or community association management firm, or
178 other transaction requires an affirmative vote of two-thirds of
179 all directors present. ~~At the next regular or special meeting of~~
180 ~~the members, the existence of the conflict of interest and the~~
181 ~~contract or other transaction must be disclosed to the members.~~
182 If a community association manager or community association
183 management firm has previously disclosed a conflict of interest
184 in an existing management contract entered into between the
185 board of directors and the community association manager or



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186 community association management firm, the conflict of interest
187 does not need to be additionally noticed and voted on during the
188 term of such management contract, but, upon renewal, must be
189 noticed and voted on in accordance with this subsection.

190 (4) If the board finds that a community association manager
191 or a community association management firm, including directors,
192 officers, and persons with a financial interest in a community
193 association management firm, or a relative of such persons, has
194 violated this section, the contract is voidable and the
195 association may terminate ~~cancel~~ its community association
196 management contract with the community association manager or
197 the community association management firm by delivery of a
198 written notice terminating the contract. If the contract is
199 terminated ~~cancelled~~, the association is liable only for the
200 reasonable value of the management services provided up to the
201 time of cancellation and is not liable for any termination fees,
202 liquidated damages, or other form of penalty for such
203 cancellation.

204 ~~(5) If an association enters into a contract with a~~
205 ~~community association manager or a community association~~
206 ~~management firm, including directors, officers, and persons with~~
207 ~~a financial interest in a community association management firm,~~
208 ~~or a relative of such persons, which is a party to or has an~~
209 ~~interest in an activity that is a possible conflict of interest~~
210 ~~as described in subsection (1) and such activity has not been~~
211 ~~properly disclosed as a conflict of interest or potential~~
212 ~~conflict of interest as required by this section, the contract~~
213 ~~is voidable and terminates upon the association filing a written~~
214 ~~notice terminating the contract with its board of directors~~



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215 ~~which contains the consent of at least 20 percent of the voting~~
216 ~~interests of the association.~~

217 ~~(6)~~ As used in this section, the term "relative" means a
218 relative within the third degree of consanguinity by blood or
219 marriage.

220 Section 4. Present subsections (12) and (13) of section
221 553.899, Florida Statutes, are redesignated as subsections (14)
222 and (15), respectively, new subsections (12) and (13) are added
223 to that section, and subsection (11) of that section is amended,
224 to read:

225 553.899 Mandatory structural inspections for condominium
226 and cooperative buildings.—

227 (11) A board of county commissioners or municipal governing
228 body shall ~~may~~ adopt an ordinance requiring that a condominium
229 or cooperative association and any other owner that is subject
230 to this section schedule or commence repairs for substantial
231 structural deterioration within a specified timeframe after the
232 local enforcement agency receives a phase two inspection report;
233 however, such repairs must be commenced within 365 days after
234 receiving such report. If an owner of the building fails to
235 submit proof to the local enforcement agency that repairs have
236 been scheduled or have commenced for substantial structural
237 deterioration identified in a phase two inspection report within
238 the required timeframe, the local enforcement agency must review
239 and determine if the building is unsafe for human occupancy.

240 (12) A licensed architect or engineer who bids to perform a
241 milestone inspection must disclose in writing to the association
242 his or her intent to bid on any services related to any
243 maintenance, repair, or replacement which may be recommended by



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244 the milestone inspection. Any design professional as defined in
245 s. 558.002 or contractor licensed under chapter 489 who submits
246 a bid to the association for performing any services recommended
247 by the milestone inspection may not have an interest, directly
248 or indirectly, in the firm or entity providing the milestone
249 inspection or be a relative of any person having a direct or
250 indirect interest in such firm, unless such relationship is
251 disclosed to the association in writing. As used in this
252 section, the term "relative" means a relative within the third
253 degree of consanguinity by blood or marriage. A contract for
254 services is voidable and terminates upon the association filing
255 a written notice terminating the contract if the design
256 professional or licensed contractor failed to provide the
257 written disclosure of the relationship required under this
258 subsection. A design professional or licensed contractor may be
259 subject to discipline under the applicable practice act for his
260 or her profession for failure to provide the written disclosure
261 of the relationship, as required under this subsection.

262 (13) (a) On or before December 31 2025, and on or before
263 each December 31 thereafter, the local enforcement agency
264 responsible for milestone inspections shall provide the
265 department, in an electronic format determined by the
266 department, information that must include, but is not limited
267 to:

268 1. The number of buildings required to have a milestone
269 inspection within the agency's jurisdiction.

270 2. The number of buildings for which a phase one milestone
271 inspection has been completed.

272 3. The number of buildings granted an extension under



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273 paragraph (3)(c).

274 4. The number of buildings required to have a phase two
275 milestone inspection.

276 5. The number of buildings for which a phase two milestone
277 inspection has been completed.

278 6. The number, type, and value of permit applications
279 received to complete repairs required by a phase two milestone
280 inspection.

281 7. A list of buildings deemed to be unsafe or uninhabitable
282 as determined by a milestone inspection.

283 8. The license number of the building code administrator
284 responsible for milestone inspections for the local enforcement
285 agency.

286 (b) The department shall provide to the Office of Program
287 Policy Analysis and Government Accountability (OPPAGA) all
288 information obtained from the local enforcement agencies under
289 paragraph (a) by the date specified and in a manner prescribed
290 by OPPAGA. OPPAGA may request from a local enforcement agency
291 any additional information necessary to compile the information
292 and provide a report to the President of the Senate and the
293 Speaker of the House of Representatives.

294 Section 5. Present subsections (33) and (34) of section
295 718.103, Florida Statutes, are redesignated as subsections (34)
296 and (35), respectively, a new subsection (33) is added to that
297 section, and subsection (1) of that section is amended, to read:

298 718.103 Definitions.—As used in this chapter, the term:

299 (1) "Alternative funding method" means a method approved by
300 the division for funding the capital expenditures and deferred
301 maintenance obligations for a multicondominium association



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302 ~~operating at least 25 condominiums~~ which may reasonably be
303 expected to fully satisfy the association's reserve funding
304 obligations by the allocation of funds in the annual operating
305 budget.

306 (33) "Video conference" means a real-time audio and video-
307 based meeting between two or more people in different locations
308 using video-enabled and audio-enabled devices. The notice for
309 any meeting that will be conducted by video conference must have
310 a hyperlink and call-in conference telephone number for unit
311 owners to attend the meeting and must have a physical location
312 where unit owners can also attend the meeting in person. All
313 meetings conducted by video conference must be recorded, and
314 such recording must be maintained as an official record of the
315 association.

316 Section 6. Subsections (4) and (10) of section 718.110,
317 Florida Statutes, are amended to read:

318 718.110 Amendment of declaration; correction of error or
319 omission in declaration by circuit court.-

320 (4) (a) Subject to paragraph (b), unless otherwise provided
321 in the declaration as originally recorded, an ~~an~~ amendment may
322 not change the configuration or size of any unit in any material
323 fashion, materially alter or modify the appurtenances to the
324 unit, or change the proportion or percentage by which the unit
325 owner shares the common expenses of the condominium and owns the
326 common surplus of the condominium unless the record owner of the
327 unit and all record owners of liens on the unit join in the
328 execution of the amendment and unless all the record owners of
329 all other units in the same condominium approve the amendment.
330 The acquisition of property by the association and material



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331 alterations or substantial additions to such property or the
332 common elements by the association in accordance with s.
333 718.111(7) or s. 718.113, and amendments providing for the
334 transfer of use rights in limited common elements pursuant to s.
335 718.106(2) (b) may not be considered ~~shall not be deemed to~~
336 ~~constitute~~ a material alteration or modification of the
337 appurtenances to the units. Except as provided in paragraph (b),
338 a declaration recorded after April 1, 1992, may not require the
339 approval of less than a majority of total voting interests of
340 the condominium for amendments under this subsection, unless
341 otherwise required by a governmental entity.

342 (b) Notwithstanding subsection (14), the declaration of a
343 nonresidential condominium formed on or after July 1, 2025, may
344 be amended to change the configuration or size of a unit in any
345 material fashion, materially alter or modify the appurtenances
346 to the unit, or change the proportion or percentage by which the
347 unit owner shares the common expenses of the condominium and
348 owns the common surplus of the condominium, if the record owners
349 of all affected units and all record owners of liens on the
350 affected units join in the execution of the amendment. The
351 approval of the record owners of the nonaffected units in such
352 condominium is not required.

353 (10) If there is an omission or error in a declaration of
354 condominium, or any other document required to establish the
355 condominium, and the omission or error would affect the valid
356 existence of the condominium, the circuit court may entertain a
357 petition of one or more of the unit owners in the condominium,
358 or of the association, to correct the error or omission, and the
359 action may be a class action. The court may require that one or



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360 more methods of correcting the error or omission be submitted to
361 the unit owners to determine the most acceptable correction. All
362 unit owners, the association, and the mortgagees of a first
363 mortgage of record must be joined as parties to the action.
364 Service of process on unit owners may be by publication, but the
365 plaintiff must furnish every unit owner not personally served
366 with process with a copy of the petition and final decree of the
367 court by certified mail, return receipt requested, at the unit
368 owner's ~~last known residence~~ address as reflected in the
369 association's official records. If an action to determine
370 whether the declaration or another condominium document complies
371 with the mandatory requirements for the formation of a
372 condominium is not brought within 3 years of the recording of
373 the certificate of a surveyor and mapper pursuant to s.
374 718.104(4)(e) or the recording of an instrument that transfers
375 title to a unit in the condominium which is not accompanied by a
376 recorded assignment of developer rights in favor of the grantee
377 of such unit, whichever occurs first, the declaration and other
378 documents will effectively create a condominium, as of the date
379 the declaration was recorded, regardless of whether the
380 documents substantially comply with the mandatory requirements
381 of law. However, both before and after the expiration of this 3-
382 year period, the circuit court has jurisdiction to entertain a
383 petition permitted under this subsection for the correction of
384 the documentation, and other methods of amendment may be
385 utilized to correct the errors or omissions at any time.

386 Section 7. Paragraph (a) of subsection (11), paragraphs
387 (a), (c), and (g) of subsection (12), and subsection (13) of
388 section 718.111, Florida Statutes, are amended, paragraphs (g),



389 (h), and (i) are added to subsection (3) of that section, and
390 subsection (16) is added to that section, to read:

391 718.111 The association.—

392 (3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT,
393 SUE, AND BE SUED; CONFLICT OF INTEREST.—

394 (g) If an association contracts with a community
395 association manager or a community association management firm,
396 the community association manager or community association
397 management firm must possess all applicable licenses required by
398 part VIII of chapter 468. All board members or officers of an
399 association that contracts with a community association manager
400 or a community association management firm have a duty to ensure
401 that the community association manager or community association
402 management firm is properly licensed before entering into a
403 contract.

404 (h) If a contract is between a community association
405 manager and the association, and the community association
406 manager has his or her license suspended or revoked during the
407 term of a contract with the association, the association may
408 terminate the contract upon delivery of a written notice to the
409 community association manager whose license has been revoked or
410 suspended, effective on the date the community association
411 manager became unlicensed.

412 (i) If a community association management firm has its
413 license suspended or revoked during the term of a contract with
414 the association, the association may terminate the contract upon
415 delivery of a written notice to the community association
416 management firm whose license has been revoked or suspended,
417 effective on the date the community association management firm



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418 became unlicensed.

419 (11) INSURANCE.—In order to protect the safety, health, and
420 welfare of the people of this state ~~of the State of Florida~~ and
421 to ensure consistency in the provision of insurance coverage to
422 condominiums and their unit owners, this subsection applies to
423 every residential condominium in this ~~the~~ state, regardless of
424 the date of its declaration of condominium. It is the intent of
425 the Legislature to encourage lower or stable insurance premiums
426 for associations described in this subsection.

427 (a) Every condominium association shall have adequate
428 property insurance as determined under this paragraph,
429 regardless of any requirement in the declaration of condominium
430 for certain coverage by the association ~~for full insurable~~
431 ~~value, replacement cost, or similar coverage, must be based on~~
432 ~~the replacement cost of the property to be insured as determined~~
433 ~~by an independent insurance appraisal or update of a prior~~
434 ~~appraisal. The replacement cost must be determined at least once~~
435 ~~every 36 months.~~

436 1. An association or group of associations may provide
437 adequate property insurance as determined under this paragraph
438 through a self-insurance fund that complies with the
439 requirements of ss. 624.460-624.488.

440 2. The amount of adequate insurance coverage for full
441 insurable value, replacement cost, or similar coverage may be
442 based on the replacement cost of the property to be insured, as
443 determined by an independent insurance appraisal or an update of
444 a previous appraisal. The replacement cost must be determined at
445 least once every 3 years, at minimum.

446 3. The association's obligation to obtain and association



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447 ~~may also~~ provide adequate property insurance coverage for a
448 group of at least three communities created and operating under
449 this chapter, chapter 719, chapter 720, or chapter 721 may be
450 satisfied by obtaining and maintaining for such communities
451 insurance coverage sufficient to cover an amount equal to the
452 probable maximum loss for the communities for a 250-year
453 windstorm event.

454 a. Such probable maximum loss must be determined through
455 the use of a competent model that has been accepted by the
456 Florida Commission on Hurricane Loss Projection Methodology.

457 b. A policy or program providing such coverage may not be
458 issued or renewed after July 1, 2008, unless it has been
459 reviewed and approved by the Office of Insurance Regulation. The
460 review and approval must include approval of the policy and
461 related forms pursuant to ss. 627.410 and 627.411, approval of
462 the rates pursuant to s. 627.062, a determination that the loss
463 model approved by the commission was accurately and
464 appropriately applied to the insured structures to determine the
465 250-year probable maximum loss, and a determination that
466 complete and accurate disclosure of all material provisions is
467 provided to condominium unit owners before execution of the
468 agreement by a condominium association.

469 ~~4.3.~~ When determining the adequate amount of property
470 insurance coverage, the association may consider deductibles as
471 determined by this subsection.

472 (12) OFFICIAL RECORDS.—

473 (a) From the inception of the association, the association
474 shall maintain each of the following items, if applicable, which
475 constitutes the official records of the association:



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- 476 1. A copy of the plans, permits, warranties, and other
477 items provided by the developer under s. 718.301(4).
- 478 2. A copy photocopy of the recorded declaration of
479 condominium of each condominium operated by the association and
480 each amendment to each declaration.
- 481 3. A copy photocopy of the recorded bylaws of the
482 association and each amendment to the bylaws.
- 483 4. A certified copy of the articles of incorporation of the
484 association, or other documents creating the association, and
485 each amendment thereto.
- 486 5. A copy of the current rules of the association.
- 487 6. A book or books or electronic records that contain the
488 minutes of all meetings of the association, the board of
489 administration, any committee, and the unit owners, and a
490 recording of all such meetings that are conducted by video
491 conference. If there are approved minutes for a meeting held by
492 video conference, recordings of meetings that are conducted by
493 video conference must be maintained for at least 1 year after
494 the date the video recording is posted as required under
495 paragraph (g).
- 496 7. A current roster of all unit owners and their mailing
497 addresses, unit identifications, voting certifications, and, if
498 known, telephone numbers. The association shall also maintain
499 the e-mail addresses and facsimile numbers of unit owners
500 consenting to receive notice by electronic transmission. In
501 accordance with sub-subparagraph (c)5.e., the e-mail addresses
502 and facsimile numbers are only accessible to unit owners if
503 consent to receive notice by electronic transmission is
504 provided, or if the unit owner has expressly indicated that such



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505 personal information can be shared with other unit owners and
506 the unit owner has not provided the association with a request
507 to opt out of such dissemination with other unit owners. An
508 association must ensure that the e-mail addresses and facsimile
509 numbers are only used for the business operation of the
510 association and may not be sold or shared with outside third
511 parties. If such personal information is included in documents
512 that are released to third parties, other than unit owners, the
513 association must redact such personal information before the
514 document is disseminated. However, the association is not liable
515 for an inadvertent disclosure of the e-mail address or facsimile
516 number for receiving electronic transmission of notices unless
517 such disclosure was made with a knowing or intentional disregard
518 of the protected nature of such information.

519 8. All current insurance policies of the association and
520 condominiums operated by the association.

521 9. A current copy of any management agreement, lease, or
522 other contract to which the association is a party or under
523 which the association or the unit owners have an obligation or
524 responsibility.

525 10. Bills of sale or transfer for all property owned by the
526 association.

527 11. Accounting records for the association and separate
528 accounting records for each condominium that the association
529 operates. Any person who knowingly or intentionally defaces or
530 destroys such records, or who knowingly or intentionally fails
531 to create or maintain such records, with the intent of causing
532 harm to the association or one or more of its members, is
533 personally subject to a civil penalty pursuant to s.



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534 718.501(1)(e). The accounting records must include, but are not
535 limited to:

536 a. Accurate, itemized, and detailed records of all receipts
537 and expenditures, including all bank statements and ledgers.

538 b. All invoices, transaction receipts, or deposit slips
539 that substantiate any receipt or expenditure of funds by the
540 association.

541 c. A current account and a monthly, bimonthly, or quarterly
542 statement of the account for each unit designating the name of
543 the unit owner, the due date and amount of each assessment, the
544 amount paid on the account, and the balance due.

545 d. All audits, reviews, accounting statements, structural
546 integrity reserve studies, and financial reports of the
547 association or condominium. Structural integrity reserve studies
548 must be maintained for at least 15 years after the study is
549 completed.

550 e. All contracts for work to be performed. Bids for work to
551 be performed are also considered official records and must be
552 maintained by the association for at least 1 year after receipt
553 of the bid.

554 12. Ballots, sign-in sheets, voting proxies, and all other
555 papers and electronic records relating to voting by unit owners,
556 which must be maintained for 1 year from the date of the
557 election, vote, or meeting to which the document relates,
558 notwithstanding paragraph (b).

559 13. All rental records if the association is acting as
560 agent for the rental of condominium units.

561 14. A copy of the current question and answer sheet as
562 described in s. 718.504.



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563 15. A copy of the inspection reports described in ss.
564 553.899 and 718.301(4) (p) and any other inspection report
565 relating to a structural or life safety inspection of
566 condominium property. Such record must be maintained by the
567 association for 15 years after receipt of the report.

568 16. Bids for materials, equipment, or services.

569 17. All affirmative acknowledgments made pursuant to s.
570 718.121(4) (c).

571 18. A copy of all building permits.

572 19. A copy of all satisfactorily completed board member
573 educational certificates.

574 20. A copy of all affidavits required by this chapter.

575 ~~21.20.~~ All other written records of the association not
576 specifically included in the foregoing which are related to the
577 operation of the association.

578 (c)1.a. The official records of the association are open to
579 inspection by any association member and any person authorized
580 by an association member as a representative of such member at
581 all reasonable times. The right to inspect the records includes
582 the right to make or obtain copies, at the reasonable expense,
583 if any, of the member and of the person authorized by the
584 association member as a representative of such member. A renter
585 of a unit has a right to inspect and copy only the declaration
586 of condominium, the association's bylaws and rules, and the
587 inspection reports described in ss. 553.899 and 718.301(4) (p).
588 The association may adopt reasonable rules regarding the
589 frequency, time, location, notice, and manner of record
590 inspections and copying but may not require a member to
591 demonstrate any purpose or state any reason for the inspection.



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592 The failure of an association to provide the records within 10
593 working days after receipt of a written request creates a
594 rebuttable presumption that the association willfully failed to
595 comply with this paragraph. A unit owner who is denied access to
596 official records is entitled to the actual damages or minimum
597 damages for the association's willful failure to comply. Minimum
598 damages are \$50 per calendar day for up to 10 days, beginning on
599 the 11th working day after receipt of the written request. The
600 failure to permit inspection entitles any person prevailing in
601 an enforcement action to recover reasonable attorney fees from
602 the person in control of the records who, directly or
603 indirectly, knowingly denied access to the records. If the
604 requested records are posted on an association's website, or are
605 available for download through an application on a mobile
606 device, the association may fulfill its obligations under this
607 paragraph by directing to the website or the application all
608 persons authorized to request access.

609 b. In response to a written request to inspect records, the
610 association must simultaneously provide to the requestor a
611 checklist of all records made available for inspection and
612 copying. The checklist must also identify any of the
613 association's official records that were not made available to
614 the requestor. An association must maintain a checklist provided
615 under this sub-subparagraph for 7 years. An association
616 delivering a checklist pursuant to this sub-subparagraph creates
617 a rebuttable presumption that the association has complied with
618 this paragraph.

619 2. A director or member of the board or association or a
620 community association manager who willfully and knowingly or



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621 ~~intentionally knowingly, willfully, and repeatedly~~ violates
622 subparagraph 1. commits a misdemeanor of the second degree,
623 punishable as provided in s. 775.082 or s. 775.083, and must be
624 removed from office and a vacancy declared. ~~For purposes of this~~
625 ~~subparagraph, the term "repeatedly" means two or more violations~~
626 ~~within a 12-month period.~~

627 3. ~~A~~ Any person who willfully and knowingly or
628 intentionally defaces or destroys accounting records that are
629 required by this chapter to be maintained during the period for
630 which such records are required to be maintained, or who
631 willfully and knowingly or intentionally fails to create or
632 maintain accounting records that are required to be created or
633 maintained, with the intent of causing harm to the association
634 or one or more of its members, commits a misdemeanor of the
635 first degree, punishable as provided in s. 775.082 or s.
636 775.083; is personally subject to a civil penalty pursuant to s.
637 718.501(1)(d); and must be removed from office and a vacancy
638 declared.

639 4. A person who willfully and knowingly or intentionally
640 refuses to release or otherwise produce association records with
641 the intent to avoid or escape detection, arrest, trial, or
642 punishment for the commission of a crime, or to assist another
643 person with such avoidance or escape, commits a felony of the
644 third degree, punishable as provided in s. 775.082, s. 775.083,
645 or s. 775.084, and must be removed from office and a vacancy
646 declared.

647 5. The association shall maintain an adequate number of
648 copies of the declaration, articles of incorporation, bylaws,
649 and rules, and all amendments to each of the foregoing, as well



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650 as the question and answer sheet as described in s. 718.504 and
651 the most recent annual financial statement and annual budget
652 ~~year-end financial information~~ required under this section, on
653 the condominium property to ensure their availability to unit
654 owners and prospective purchasers, and may charge its actual
655 costs for preparing and furnishing these documents to those
656 requesting the documents. An association shall allow a member or
657 his or her authorized representative to use a portable device,
658 including a smartphone, tablet, portable scanner, or any other
659 technology capable of scanning or taking photographs, to make an
660 electronic copy of the official records in lieu of the
661 association's providing the member or his or her authorized
662 representative with a copy of such records. The association may
663 not charge a member or his or her authorized representative for
664 the use of a portable device. Notwithstanding this paragraph,
665 the following records are not accessible to unit owners:

666 a. Any record protected by the lawyer-client privilege as
667 described in s. 90.502 and any record protected by the work-
668 product privilege, including a record prepared by an association
669 attorney or prepared at the attorney's express direction, which
670 reflects a mental impression, conclusion, litigation strategy,
671 or legal theory of the attorney or the association, and which
672 was prepared exclusively for civil or criminal litigation or for
673 adversarial administrative proceedings, or which was prepared in
674 anticipation of such litigation or proceedings until the
675 conclusion of the litigation or proceedings.

676 b. Information obtained by an association in connection
677 with the approval of the lease, sale, or other transfer of a
678 unit.



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679 c. Personnel records of association or management company
680 employees, including, but not limited to, disciplinary, payroll,
681 health, and insurance records. For purposes of this sub-
682 subparagraph, the term "personnel records" does not include
683 written employment agreements with an association employee or
684 management company, or budgetary or financial records that
685 indicate the compensation paid to an association employee.

686 d. Medical records of unit owners.

687 e. Social security numbers, driver license numbers, credit
688 card numbers, e-mail addresses, telephone numbers, facsimile
689 numbers, emergency contact information, addresses of a unit
690 owner other than as provided to fulfill the association's notice
691 requirements, and other personal identifying information of any
692 person, excluding the person's name, unit designation, mailing
693 address, property address, and any address, e-mail address, or
694 facsimile number provided to the association to fulfill the
695 association's notice requirements. Notwithstanding the
696 restrictions in this sub-subparagraph, an association may print
697 and distribute to unit owners a directory containing the name,
698 unit address, and all telephone numbers of each unit owner.
699 However, an owner may exclude his or her telephone numbers from
700 the directory by so requesting in writing to the association. An
701 owner may consent in writing to the disclosure of other contact
702 information described in this sub-subparagraph. The association
703 is not liable for the inadvertent disclosure of information that
704 is protected under this sub-subparagraph if the information is
705 included in an official record of the association and is
706 voluntarily provided by an owner and not requested by the
707 association.



708 f. Electronic security measures that are used by the
709 association to safeguard data, including passwords.

710 g. The software and operating system used by the
711 association which allow the manipulation of data, even if the
712 owner owns a copy of the same software used by the association.
713 The data is part of the official records of the association.

714 h. All affirmative acknowledgments made pursuant to s.
715 718.121(4)(c).

716 (g)1. By January 1, 2019, an association managing a
717 condominium with 150 or more units which does not contain
718 timeshare units shall post digital copies of the documents
719 specified in subparagraph 2. on its website or make such
720 documents available through an application that can be
721 downloaded on a mobile device. Unless a shorter period is
722 otherwise required, a document must be made available on the
723 association's website or made available for download through an
724 application on a mobile device within 30 days after the
725 association receives or creates an official record specified in
726 subparagraph 2.

727 a. The association's website or application must be:

728 (I) An independent website, application, or web portal
729 wholly owned and operated by the association; or

730 (II) A website, application, or web portal operated by a
731 third-party provider with whom the association owns, leases,
732 rents, or otherwise obtains the right to operate a web page,
733 subpage, web portal, collection of subpages or web portals, or
734 an application which is dedicated to the association's
735 activities and on which required notices, records, and documents
736 may be posted or made available by the association.



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737 b. The association's website or application must be
738 accessible through the Internet and must contain a subpage, web
739 portal, or other protected electronic location that is
740 inaccessible to the general public and accessible only to unit
741 owners and employees of the association.

742 c. Upon a unit owner's written request, the association
743 must provide the unit owner with a username and password and
744 access to the protected sections of the association's website or
745 application which contain any notices, records, or documents
746 that must be electronically provided.

747 2. A current copy of the following documents must be posted
748 in digital format on the association's website or application:

749 a. The recorded declaration of condominium of each
750 condominium operated by the association and each amendment to
751 each declaration.

752 b. The recorded bylaws of the association and each
753 amendment to the bylaws.

754 c. The articles of incorporation of the association, or
755 other documents creating the association, and each amendment to
756 the articles of incorporation or other documents. The copy
757 posted pursuant to this sub-subparagraph must be a copy of the
758 articles of incorporation filed with the Department of State.

759 d. The rules of the association.

760 e. The approved minutes of all board of administration
761 meetings over the preceding 12 months.

762 f. The video recording or a hyperlink to the video
763 recording for all meetings of the association, the board of
764 administration, any committee, and the unit owners which are
765 conducted by video conference over the preceding 12 months.



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766 ~~g.e.~~ A list of all executory contracts or documents to
767 which the association is a party or under which the association
768 or the unit owners have an obligation or responsibility and,
769 after bidding for the related materials, equipment, or services
770 has closed, a list of bids received by the association within
771 the past year. Summaries of bids for materials, equipment, or
772 services which exceed \$500 must be maintained on the website or
773 application for 1 year. In lieu of summaries, complete copies of
774 the bids may be posted.

775 ~~h.f.~~ The annual budget required by s. 718.112(2)(f) and any
776 proposed budget to be considered at the annual meeting.

777 ~~i.g.~~ The financial report required by subsection (13) and
778 any monthly income or expense statement to be considered at a
779 meeting.

780 ~~j.h.~~ The certification of each director required by s.
781 718.112(2)(d)4.b.

782 ~~k.i.~~ All contracts or transactions between the association
783 and any director, officer, corporation, firm, or association
784 that is not an affiliated condominium association or any other
785 entity in which an association director is also a director or
786 officer and financially interested.

787 ~~l.j.~~ Any contract or document regarding a conflict of
788 interest or possible conflict of interest as provided in ss.
789 468.4335, 468.436(2)(b)6., and 718.3027(3).

790 ~~m.k.~~ The notice of any unit owner meeting and the agenda
791 for the meeting, as required by s. 718.112(2)(d)3., no later
792 than 14 days before the meeting. The notice must be posted in
793 plain view on the front page of the website or application, or
794 on a separate subpage of the website or application labeled



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795 "Notices" which is conspicuously visible and linked from the
796 front page. The association must also post on its website or
797 application any document to be considered and voted on by the
798 owners during the meeting or any document listed on the agenda
799 at least 7 days before the meeting at which the document or the
800 information within the document will be considered.

801 ~~n.1.~~ Notice of any board meeting, the agenda, and any other
802 document required for the meeting as required by s.
803 718.112(2)(c), which must be posted no later than the date
804 required for notice under s. 718.112(2)(c).

805 ~~o.m.~~ The inspection reports described in ss. 553.899 and
806 718.301(4)(p) and any other inspection report relating to a
807 structural or life safety inspection of condominium property.

808 ~~p.n.~~ The association's most recent structural integrity
809 reserve study, if applicable.

810 ~~q.e.~~ Copies of all building permits issued for ongoing or
811 planned construction.

812 r. A copy of all affidavits required by this chapter.

813 3. The association shall ensure that the information and
814 records described in paragraph (c), which are not allowed to be
815 accessible to unit owners, are not posted on the association's
816 website or application. If protected information or information
817 restricted from being accessible to unit owners is included in
818 documents that are required to be posted on the association's
819 website or application, the association shall ensure the
820 information is redacted before posting the documents.

821 Notwithstanding the foregoing, the association or its agent is
822 not liable for disclosing information that is protected or
823 restricted under this paragraph unless such disclosure was made



824 with a knowing or intentional disregard of the protected or
825 restricted nature of such information.

826 4. The failure of the association to post information
827 required under subparagraph 2. is not in and of itself
828 sufficient to invalidate any action or decision of the
829 association's board or its committees.

830 (13) FINANCIAL REPORTING.—Within 90 days after the end of
831 the fiscal year, or annually on a date provided in the bylaws,
832 the association shall prepare and complete, or contract for the
833 preparation and completion of, a financial report for the
834 preceding fiscal year. Within 21 days after the final financial
835 report is completed by the association or received from the
836 third party, but not later than 180 ~~120~~ days after the end of
837 the fiscal year or other date as provided in the bylaws, the
838 association shall deliver to each unit owner by United States
839 mail or personal delivery at the mailing address, property
840 address, e-mail address, or facsimile number provided to fulfill
841 the association's notice requirements, a copy of the most recent
842 financial report, or and a notice that a copy of the most recent
843 financial report will be, as requested by the owner, mailed, or
844 hand delivered, or electronically delivered via the Internet to
845 the unit owner, without charge, within 5 business days after
846 receipt of a written request from the unit owner. Evidence of
847 compliance with this delivery requirement must be made by an
848 affidavit executed by an officer or director of the association.
849 The division shall adopt rules setting forth uniform accounting
850 principles and standards to be used by all associations and
851 addressing the financial reporting requirements for
852 multicondominium associations. The rules must include, but not



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853 be limited to, standards for presenting a summary of association
854 reserves, including a good faith estimate disclosing the annual
855 amount of reserve funds that would be necessary for the
856 association to fully fund reserves for each reserve item based
857 on the straight-line accounting method. This disclosure is not
858 applicable to reserves funded via the pooling method. In
859 adopting such rules, the division shall consider the number of
860 members and annual revenues of an association. Financial reports
861 shall be prepared as follows:

862 (a) An association that meets the criteria of this
863 paragraph shall prepare a complete set of financial statements
864 in accordance with generally accepted accounting principles. The
865 financial statements must be based upon the association's total
866 annual revenues, as follows:

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

870 2. An association with total annual revenues of at least
871 \$300,000, but less than \$500,000, shall prepare reviewed
872 financial statements.

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

875 (b)1. An association with total annual revenues of less
876 than \$150,000 shall prepare a report of cash receipts and
877 expenditures.

878 2. A report of cash receipts and disbursements must
879 disclose the amount of receipts by accounts and receipt
880 classifications and the amount of expenses by accounts and
881 expense classifications, including, but not limited to, the



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882 following, as applicable: costs for security, professional and
883 management fees and expenses, taxes, costs for recreation
884 facilities, expenses for refuse collection and utility services,
885 expenses for lawn care, costs for building maintenance and
886 repair, insurance costs, administration and salary expenses, and
887 reserves accumulated and expended for capital expenditures,
888 deferred maintenance, and any other category for which the
889 association maintains reserves.

890 (c) An association may prepare, without a meeting of or
891 approval by the unit owners:

892 1. Compiled, reviewed, or audited financial statements, if
893 the association is required to prepare a report of cash receipts
894 and expenditures;

895 2. Reviewed or audited financial statements, if the
896 association is required to prepare compiled financial
897 statements; or

898 3. Audited financial statements if the association is
899 required to prepare reviewed financial statements.

900 (d) If approved by a majority vote of all the voting
901 interests ~~present at a properly called meeting~~ of the
902 association, an association may prepare:

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

905 2. A report of cash receipts and expenditures or a compiled
906 financial statement in lieu of a reviewed or audited financial
907 statement; or

908 3. A report of cash receipts and expenditures, a compiled
909 financial statement, or a reviewed financial statement in lieu
910 of an audited financial statement.



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911
912 Such meeting and approval must occur before the end of the
913 fiscal year and is effective only for the fiscal year in which
914 the vote is taken. An association may not prepare a financial
915 report pursuant to this paragraph for consecutive fiscal years.
916 If the developer has not turned over control of the association,
917 all unit owners, including the developer, may vote on issues
918 related to the preparation of the association's financial
919 reports, from the date of incorporation of the association
920 through the end of the second fiscal year after the fiscal year
921 in which the certificate of a surveyor and mapper is recorded
922 pursuant to s. 718.104(4)(e) or an instrument that transfers
923 title to a unit in the condominium which is not accompanied by a
924 recorded assignment of developer rights in favor of the grantee
925 of such unit is recorded, whichever occurs first. Thereafter,
926 all unit owners except the developer may vote on such issues
927 until control is turned over to the association by the
928 developer. Any audit or review prepared under this section shall
929 be paid for by the developer if done before turnover of control
930 of the association.

931 (e) A unit owner may provide written notice to the division
932 of the association's failure to mail or hand deliver him or her
933 a copy of the most recent financial report within 5 business
934 days after he or she submitted a written request to the
935 association for a copy of such report. If the division
936 determines that the association failed to mail or hand deliver a
937 copy of the most recent financial report to the unit owner, the
938 division shall provide written notice to the association that
939 the association must mail or hand deliver a copy of the most



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940 recent financial report to the unit owner and the division
941 within 5 business days after it receives such notice from the
942 division. An association that fails to comply with the
943 division's request may not waive the financial reporting
944 requirement provided in paragraph (d) for the fiscal year in
945 which the unit owner's request was made and the following fiscal
946 year. A financial report received by the division pursuant to
947 this paragraph shall be maintained, and the division shall
948 provide a copy of such report to an association member upon his
949 or her request.

950 (16) INVESTMENT OF ASSOCIATION FUNDS.-

951 (a) A board shall, in fulfilling its duty to manage
952 operating and reserve funds of its association, use best efforts
953 to make prudent investment decisions that carefully consider
954 risk and return in an effort to maximize returns on invested
955 funds.

956 (b) An association, including a multicondominium
957 association, may invest reserve funds in one or any combination
958 of certificates of deposit or in depository accounts at a
959 community bank, savings bank, commercial bank, savings and loan
960 association, or credit union without a vote of the unit owners.

961 Section 8. Paragraphs (b) through (g) of subsection (2) of
962 section 718.112, Florida Statutes, are amended to read:

963 718.112 Bylaws.-

964 (2) REQUIRED PROVISIONS.-The bylaws shall provide for the
965 following and, if they do not do so, shall be deemed to include
966 the following:

967 (b) *Quorum; voting requirements; proxies.-*

968 1. Unless a lower number is provided in the bylaws, the



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969 percentage of voting interests required to constitute a quorum
970 at a meeting of the members is a majority of the voting
971 interests. Unless otherwise provided in this chapter or in the
972 declaration, articles of incorporation, or bylaws, and except as
973 provided in subparagraph (d)4., decisions shall be made by a
974 majority of the voting interests represented at a meeting at
975 which a quorum is present.

976 2. Except as specifically otherwise provided herein, unit
977 owners in a residential condominium may not vote by general
978 proxy, but may vote by limited proxies substantially conforming
979 to a limited proxy form adopted by the division. A voting
980 interest or consent right allocated to a unit owned by the
981 association may not be exercised or considered for any purpose,
982 whether for a quorum, an election, or otherwise. Limited proxies
983 and general proxies may be used to establish a quorum. Limited
984 proxies shall be used for votes taken to waive or reduce
985 reserves in accordance with subparagraph (f)2.; for votes taken
986 to waive the financial reporting requirements of s. 718.111(13);
987 for votes taken to amend the declaration pursuant to s. 718.110;
988 for votes taken to amend the articles of incorporation or bylaws
989 pursuant to this section; and for any other matter for which
990 this chapter requires or permits a vote of the unit owners.
991 Except as provided in paragraph (d), a proxy, limited or
992 general, may not be used in the election of board members in a
993 residential condominium. General proxies may be used for other
994 matters for which limited proxies are not required, and may be
995 used in voting for nonsubstantive changes to items for which a
996 limited proxy is required and given. Notwithstanding this
997 subparagraph, unit owners may vote in person at unit owner



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998 meetings. This subparagraph does not limit the use of general
999 proxies or require the use of limited proxies for any agenda
1000 item or election at any meeting of a timeshare condominium
1001 association or a nonresidential condominium association.

1002 3. A proxy given is effective only for the specific meeting
1003 for which originally given and any lawfully adjourned meetings
1004 thereof. A proxy is not valid longer than 90 days after the date
1005 of the first meeting for which it was given. Each proxy is
1006 revocable at any time at the pleasure of the unit owner
1007 executing it.

1008 4. A member of the board of administration or a committee
1009 may submit in writing his or her agreement or disagreement with
1010 any action taken at a meeting that the member did not attend.
1011 This agreement or disagreement may not be used as a vote for or
1012 against the action taken or to create a quorum.

1013 5. A board meeting may be conducted in person or by video
1014 conference. A board or committee member's participation in a
1015 meeting via telephone, real-time videoconferencing, or similar
1016 real-time electronic or video communication counts toward a
1017 quorum, and such member may vote as if physically present. A
1018 speaker must be used so that the conversation of such members
1019 may be heard by the board or committee members attending in
1020 person as well as by any unit owners present at a meeting. The
1021 division shall adopt rules pursuant to ss. 120.536 and 120.54
1022 governing the requirements for meetings.

1023 (c) *Board of administration meetings.*—In a residential
1024 condominium association of more than 10 units, the board of
1025 administration shall meet at least once each quarter. At least
1026 four times each year, the meeting agenda must include an



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1027 opportunity for members to ask questions of the board. Meetings
1028 of the board of administration at which a quorum of the members
1029 is present are open to all unit owners. Members of the board of
1030 administration may use e-mail as a means of communication but
1031 may not cast a vote on an association matter via e-mail. A unit
1032 owner may tape record or videotape the meetings. The right to
1033 attend such meetings includes the right to speak at such
1034 meetings with reference to all designated agenda items and the
1035 right to ask questions relating to reports on the status of
1036 construction or repair projects, the status of revenues and
1037 expenditures during the current fiscal year, and other issues
1038 affecting the condominium. The division shall adopt reasonable
1039 rules governing the tape recording and videotaping of the
1040 meeting. The association may adopt written reasonable rules
1041 governing the frequency, duration, and manner of unit owner
1042 statements.

1043 1. Adequate notice of all board meetings, which must
1044 specifically identify all agenda items, must be posted
1045 conspicuously on the condominium property at least 48 continuous
1046 hours before the meeting except in an emergency. If the board
1047 meeting is to be conducted via video conference, the notice must
1048 state that such meeting will be via video conference and must
1049 include a hyperlink and a conference telephone number for unit
1050 owners to attend the meeting via video conference, as well as
1051 the address of the physical location where the unit owners can
1052 attend the meeting in person. If the meeting is conducted via
1053 video conference, it must be recorded and such recording must be
1054 maintained as an official record of the association. If 20
1055 percent of the voting interests petition the board to address an



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1056 item of business, the board, within 60 days after receipt of the
1057 petition, shall place the item on the agenda at its next regular
1058 board meeting or at a special meeting called for that purpose.
1059 An item not included on the notice may be taken up on an
1060 emergency basis by a vote of at least a majority plus one of the
1061 board members. Such emergency action must be noticed and
1062 ratified at the next regular board meeting. Written notice of a
1063 meeting at which a nonemergency special assessment or an
1064 amendment to rules regarding unit use will be considered must be
1065 mailed, delivered, or electronically transmitted to the unit
1066 owners and posted conspicuously on the condominium property at
1067 least 14 days before the meeting. Evidence of compliance with
1068 this 14-day notice requirement must be made by an affidavit
1069 executed by the person providing the notice and filed with the
1070 official records of the association.

1071 2. Upon notice to the unit owners, the board shall, by duly
1072 adopted rule, designate a specific location on the condominium
1073 property at which all notices of board meetings must be posted.
1074 If there is no condominium property at which notices can be
1075 posted, notices shall be mailed, delivered, or electronically
1076 transmitted to each unit owner at least 14 days before the
1077 meeting. In lieu of or in addition to the physical posting of
1078 the notice on the condominium property, the association may, by
1079 reasonable rule, adopt a procedure for conspicuously posting and
1080 repeatedly broadcasting the notice and the agenda on a closed-
1081 circuit cable television system serving the condominium
1082 association. However, if broadcast notice is used in lieu of a
1083 notice physically posted on condominium property, the notice and
1084 agenda must be broadcast at least four times every broadcast



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1085 hour of each day that a posted notice is otherwise required
1086 under this section. If broadcast notice is provided, the notice
1087 and agenda must be broadcast in a manner and for a sufficient
1088 continuous length of time so as to allow an average reader to
1089 observe the notice and read and comprehend the entire content of
1090 the notice and the agenda. In addition to any of the authorized
1091 means of providing notice of a meeting of the board, the
1092 association may, by rule, adopt a procedure for conspicuously
1093 posting the meeting notice and the agenda on a website serving
1094 the condominium association for at least the minimum period of
1095 time for which a notice of a meeting is also required to be
1096 physically posted on the condominium property. Any rule adopted
1097 shall, in addition to other matters, include a requirement that
1098 the association send an electronic notice in the same manner as
1099 a notice for a meeting of the members, which must include a
1100 hyperlink to the website at which the notice is posted, to unit
1101 owners whose e-mail addresses are included in the association's
1102 official records.

1103 3. Notice of any meeting in which regular or special
1104 assessments against unit owners are to be considered must
1105 specifically state that assessments will be considered and
1106 provide the estimated cost and description of the purposes for
1107 such assessments. If an agenda item relates to the approval of a
1108 contract for goods or services, a copy of the contract must be
1109 provided with the notice and be made available for inspection
1110 and copying upon a written request from a unit owner or made
1111 available on the association's website or through an application
1112 that can be downloaded on a mobile device.

1113 4. Meetings of a committee to take final action on behalf



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1114 of the board or make recommendations to the board regarding the
1115 association budget are subject to this paragraph. Meetings of a
1116 committee that does not take final action on behalf of the board
1117 or make recommendations to the board regarding the association
1118 budget are subject to this section, unless those meetings are
1119 exempted from this section by the bylaws of the association.

1120 5. Notwithstanding any other law, the requirement that
1121 board meetings and committee meetings be open to the unit owners
1122 does not apply to:

1123 a. Meetings between the board or a committee and the
1124 association's attorney, with respect to proposed or pending
1125 litigation, if the meeting is held for the purpose of seeking or
1126 rendering legal advice; or

1127 b. Board meetings held for the purpose of discussing
1128 personnel matters.

1129 (d) *Unit owner meetings.*—

1130 1. An annual meeting of the unit owners must be held at the
1131 location provided in the association bylaws and, if the bylaws
1132 are silent as to the location, the meeting must be held within
1133 15 45 miles of the condominium property or within the same
1134 county as the condominium property. However, such distance
1135 requirement does not apply to an association governing a
1136 timeshare condominium. If a unit owner meeting is conducted via
1137 video conference, a unit owner may vote electronically in the
1138 manner provided in s. 718.128.

1139 2. Unit owner meetings, including the annual meeting of the
1140 unit owners, may be conducted in person or via video conference.
1141 If the annual meeting of the unit owners is conducted via video
1142 conference, a quorum of the members of the board of



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1143 administration must be physically present at the physical
1144 location where unit owners can attend the meeting. The location
1145 must be provided in the association bylaws and, if the bylaws
1146 are silent as to the location, the meeting must be held within
1147 15 miles of the condominium property or within the same county
1148 as the condominium property. If the unit owner meeting is
1149 conducted via video conference, the video conference must be
1150 recorded and such recording must be maintained as an official
1151 record of the association. The division shall adopt rules
1152 pursuant to ss. 120.536 and 120.54 governing the requirements
1153 for meetings.

1154 3.2- Unless the bylaws provide otherwise, a vacancy on the
1155 board caused by the expiration of a director's term must be
1156 filled by electing a new board member, and the election must be
1157 by secret ballot. An election is not required if the number of
1158 vacancies equals or exceeds the number of candidates. For
1159 purposes of this paragraph, the term "candidate" means an
1160 eligible person who has timely submitted the written notice, as
1161 described in sub-subparagraph 4.a., of his or her intention to
1162 become a candidate. Except in a timeshare or nonresidential
1163 condominium, or if the staggered term of a board member does not
1164 expire until a later annual meeting, or if all members' terms
1165 would otherwise expire but there are no candidates, the terms of
1166 all board members expire at the annual meeting, and such members
1167 may stand for reelection unless prohibited by the bylaws. Board
1168 members may serve terms longer than 1 year if permitted by the
1169 bylaws or articles of incorporation. A board member may not
1170 serve more than 8 consecutive years unless approved by an
1171 affirmative vote of unit owners representing two-thirds of all



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1172 votes cast in the election or unless there are not enough
1173 eligible candidates to fill the vacancies on the board at the
1174 time of the vacancy. Only board service that occurs on or after
1175 July 1, 2018, may be used when calculating a board member's term
1176 limit. If the number of board members whose terms expire at the
1177 annual meeting equals or exceeds the number of candidates, the
1178 candidates become members of the board effective upon the
1179 adjournment of the annual meeting. Unless the bylaws provide
1180 otherwise, any remaining vacancies shall be filled by the
1181 affirmative vote of the majority of the directors making up the
1182 newly constituted board even if the directors constitute less
1183 than a quorum or there is only one director. In a residential
1184 condominium association of more than 10 units or in a
1185 residential condominium association that does not include
1186 timeshare units or timeshare interests, co-owners of a unit may
1187 not serve as members of the board of directors at the same time
1188 unless they own more than one unit or unless there are not
1189 enough eligible candidates to fill the vacancies on the board at
1190 the time of the vacancy. A unit owner in a residential
1191 condominium desiring to be a candidate for board membership must
1192 comply with sub-subparagraph 4.a. and must be eligible to be a
1193 candidate to serve on the board of directors at the time of the
1194 deadline for submitting a notice of intent to run in order to
1195 have his or her name listed as a proper candidate on the ballot
1196 or to serve on the board. A person who has been suspended or
1197 removed by the division under this chapter, or who is delinquent
1198 in the payment of any assessment due to the association, is not
1199 eligible to be a candidate for board membership and may not be
1200 listed on the ballot. For purposes of this paragraph, a person



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1201 is delinquent if a payment is not made by the due date as
1202 specifically identified in the declaration of condominium,
1203 bylaws, or articles of incorporation. If a due date is not
1204 specifically identified in the declaration of condominium,
1205 bylaws, or articles of incorporation, the due date is the first
1206 day of the assessment period. A person who has been convicted of
1207 any felony in this state or in a United States District or
1208 Territorial Court, or who has been convicted of any offense in
1209 another jurisdiction which would be considered a felony if
1210 committed in this state, is not eligible for board membership
1211 unless such felon's civil rights have been restored for at least
1212 5 years as of the date such person seeks election to the board.
1213 The validity of an action by the board is not affected if it is
1214 later determined that a board member is ineligible for board
1215 membership due to having been convicted of a felony. This
1216 subparagraph does not limit the term of a member of the board of
1217 a nonresidential or timeshare condominium.

1218 ~~4.3.~~ The bylaws must provide the method of calling meetings
1219 of unit owners, including annual meetings. Written notice of an
1220 annual meeting must include an agenda; be mailed, hand
1221 delivered, or electronically transmitted to each unit owner at
1222 least 14 days before the annual meeting; and be posted in a
1223 conspicuous place on the condominium property or association
1224 property at least 14 continuous days before the annual meeting.
1225 Written notice of a meeting other than an annual meeting must
1226 include an agenda; be mailed, hand delivered, or electronically
1227 transmitted to each unit owner; and be posted in a conspicuous
1228 place on the condominium property or association property within
1229 the timeframe specified in the bylaws. If the bylaws do not



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1230 specify a timeframe for written notice of a meeting other than
1231 an annual meeting, notice must be provided at least 14
1232 continuous days before the meeting. Upon notice to the unit
1233 owners, the board shall, by duly adopted rule, designate a
1234 specific location on the condominium property or association
1235 property at which all notices of unit owner meetings must be
1236 posted. This requirement does not apply if there is no
1237 condominium property for posting notices. ~~In lieu of, or in~~ In
1238 addition to, the physical posting of meeting notices, the
1239 association may, by reasonable rule, adopt a procedure for
1240 conspicuously posting and repeatedly broadcasting the notice and
1241 the agenda on a closed-circuit cable television system serving
1242 the condominium association. ~~However, if broadcast notice is~~
1243 ~~used in lieu of a notice posted physically on the condominium~~
1244 ~~property, the notice and agenda must be broadcast at least four~~
1245 ~~times every broadcast hour of each day that a posted notice is~~
1246 ~~otherwise required under this section.~~ If broadcast notice is
1247 provided, the notice and agenda must be broadcast in a manner
1248 and for a sufficient continuous length of time so as to allow an
1249 average reader to observe the notice and read and comprehend the
1250 entire content of the notice and the agenda. In addition to any
1251 of the authorized means of providing notice of a meeting of the
1252 board, the association may, by rule, adopt a procedure for
1253 conspicuously posting the meeting notice and the agenda on a
1254 website serving the condominium association for at least the
1255 minimum period of time for which a notice of a meeting is also
1256 required to be physically posted on the condominium property.
1257 Any rule adopted shall, in addition to other matters, include a
1258 requirement that the association send an electronic notice in



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1259 the same manner as a notice for a meeting of the members, which
1260 must include a hyperlink to the website at which the notice is
1261 posted, to unit owners whose e-mail addresses are included in
1262 the association's official records. Unless a unit owner waives
1263 in writing the right to receive notice of the annual meeting,
1264 such notice must be hand delivered, mailed, or electronically
1265 transmitted to each unit owner. Notice for meetings and notice
1266 for all other purposes must be mailed to each unit owner at the
1267 address last furnished to the association by the unit owner, or
1268 hand delivered to each unit owner. However, if a unit is owned
1269 by more than one person, the association must provide notice to
1270 the address that the developer identifies for that purpose and
1271 thereafter as one or more of the owners of the unit advise the
1272 association in writing, or if no address is given or the owners
1273 of the unit do not agree, to the address provided on the deed of
1274 record. An officer of the association, or the manager or other
1275 person providing notice of the association meeting, must provide
1276 an affidavit or United States Postal Service certificate of
1277 mailing, to be included in the official records of the
1278 association affirming that the notice was mailed or hand
1279 delivered in accordance with this provision.

1280 ~~5.4~~ The members of the board of a residential condominium
1281 shall be elected by written ballot or voting machine. Proxies
1282 may not be used in electing the board in general elections or
1283 elections to fill vacancies caused by recall, resignation, or
1284 otherwise, unless otherwise provided in this chapter. This
1285 subparagraph does not apply to an association governing a
1286 timeshare condominium.

1287 a. At least 60 days before a scheduled election, the



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1288 association shall mail, deliver, or electronically transmit, by
1289 separate association mailing or included in another association
1290 mailing, delivery, or transmission, including regularly
1291 published newsletters, to each unit owner entitled to a vote, a
1292 first notice of the date of the election. A unit owner or other
1293 eligible person desiring to be a candidate for the board must
1294 give written notice of his or her intent to be a candidate to
1295 the association at least 40 days before a scheduled election.
1296 Together with the written notice and agenda as set forth in
1297 subparagraph 3., the association shall mail, deliver, or
1298 electronically transmit a second notice of the election to all
1299 unit owners entitled to vote, together with a ballot that lists
1300 all candidates not less than 14 days or more than 34 days before
1301 the date of the election. Upon request of a candidate, an
1302 information sheet, no larger than 8 1/2 inches by 11 inches,
1303 which must be furnished by the candidate at least 35 days before
1304 the election, must be included with the mailing, delivery, or
1305 transmission of the ballot, with the costs of mailing, delivery,
1306 or electronic transmission and copying to be borne by the
1307 association. The association is not liable for the contents of
1308 the information sheets prepared by the candidates. In order to
1309 reduce costs, the association may print or duplicate the
1310 information sheets on both sides of the paper. The division
1311 shall by rule establish voting procedures consistent with this
1312 sub-subparagraph, including rules establishing procedures for
1313 giving notice by electronic transmission and rules providing for
1314 the secrecy of ballots. Elections shall be decided by a
1315 plurality of ballots cast. There is no quorum requirement;
1316 however, at least 20 percent of the eligible voters must cast a



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1317 ballot in order to have a valid election. A unit owner may not
1318 authorize any other person to vote his or her ballot, and any
1319 ballots improperly cast are invalid. A unit owner who violates
1320 this provision may be fined by the association in accordance
1321 with s. 718.303. A unit owner who needs assistance in casting
1322 the ballot for the reasons stated in s. 101.051 may obtain such
1323 assistance. The regular election must occur on the date of the
1324 annual meeting. Notwithstanding this sub-subparagraph, an
1325 election is not required unless more candidates file notices of
1326 intent to run or are nominated than board vacancies exist.

1327 b. A director of a board of an association of a residential
1328 condominium shall:

1329 (I) Certify in writing to the secretary of the association
1330 that he or she has read the association's declaration of
1331 condominium, articles of incorporation, bylaws, and current
1332 written policies; that he or she will work to uphold such
1333 documents and policies to the best of his or her ability; and
1334 that he or she will faithfully discharge his or her fiduciary
1335 responsibility to the association's members.

1336 (II) Submit to the secretary of the association a
1337 certificate of having satisfactorily completed the educational
1338 curriculum administered by the division or a division-approved
1339 condominium education provider. The educational curriculum must
1340 be at least 4 hours long and include instruction on milestone
1341 inspections, structural integrity reserve studies, elections,
1342 recordkeeping, financial literacy and transparency, levying of
1343 fines, and notice and meeting requirements.

1344
1345 Each newly elected or appointed director must submit to the



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1346 secretary of the association the written certification and
1347 educational certificate within 1 year before being elected or
1348 appointed or 90 days after the date of election or appointment.
1349 A director of an association of a residential condominium who
1350 was elected or appointed before July 1, 2024, must comply with
1351 the written certification and educational certificate
1352 requirements in this sub-subparagraph by June 30, 2025. The
1353 written certification and educational certificate is valid for 7
1354 years after the date of issuance and does not have to be
1355 resubmitted as long as the director serves on the board without
1356 interruption during the 7-year period. A director who is
1357 appointed by the developer may satisfy the educational
1358 certificate requirement in sub-sub-subparagraph (II) for any
1359 subsequent appointment to a board by a developer within 7 years
1360 after the date of issuance of the most recent educational
1361 certificate, including any interruption of service on a board or
1362 appointment to a board in another association within that 7-year
1363 period. One year after submission of the most recent written
1364 certification and educational certificate, and annually
1365 thereafter, a director of an association of a residential
1366 condominium must submit to the secretary of the association a
1367 certificate of having satisfactorily completed at least 1 hour
1368 of continuing education administered by the division, or a
1369 division-approved condominium education provider, relating to
1370 any recent changes to this chapter and the related
1371 administrative rules during the past year. A director of an
1372 association of a residential condominium who fails to timely
1373 file the written certification and educational certificate is
1374 suspended from service on the board until he or she complies



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1375 with this sub-subparagraph. The board may temporarily fill the
1376 vacancy during the period of suspension. The secretary shall
1377 cause the association to retain a director's written
1378 certification and educational certificate for inspection by the
1379 members for 7 years after a director's election or the duration
1380 of the director's uninterrupted tenure, whichever is longer.
1381 Failure to have such written certification and educational
1382 certificate on file does not affect the validity of any board
1383 action.

1384 c. Any challenge to the election process must be commenced
1385 within 60 days after the election results are announced.

1386 ~~6.5.~~ Any approval by unit owners called for by this chapter
1387 or the applicable declaration or bylaws, including, but not
1388 limited to, the approval requirement in s. 718.111(8), must be
1389 made at a duly noticed meeting of unit owners and is subject to
1390 all requirements of this chapter or the applicable condominium
1391 documents relating to unit owner decisionmaking, except that
1392 unit owners may take action by written agreement, without
1393 meetings, on matters for which action by written agreement
1394 without meetings is expressly allowed by the applicable bylaws
1395 or declaration or any law that provides for such action.

1396 ~~7.6.~~ Unit owners may waive notice of specific meetings if
1397 allowed by the applicable bylaws or declaration or any law.
1398 Notice of meetings of the board of administration; unit owner
1399 meetings, except unit owner meetings called to recall board
1400 members under paragraph (1); and committee meetings may be given
1401 by electronic transmission to unit owners who consent to receive
1402 notice by electronic transmission. A unit owner who consents to
1403 receiving notices by electronic transmission is solely



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1404 responsible for removing or bypassing filters that block receipt
1405 of mass e-mails sent to members on behalf of the association in
1406 the course of giving electronic notices.

1407 ~~8.7.~~ Unit owners have the right to participate in meetings
1408 of unit owners with reference to all designated agenda items.
1409 However, the association may adopt reasonable rules governing
1410 the frequency, duration, and manner of unit owner participation.

1411 ~~9.8.~~ A unit owner may tape record or videotape a meeting of
1412 the unit owners subject to reasonable rules adopted by the
1413 division.

1414 ~~10.9.~~ Unless otherwise provided in the bylaws, any vacancy
1415 occurring on the board before the expiration of a term may be
1416 filled by the affirmative vote of the majority of the remaining
1417 directors, even if the remaining directors constitute less than
1418 a quorum, or by the sole remaining director. In the alternative,
1419 a board may hold an election to fill the vacancy, in which case
1420 the election procedures must conform to sub-subparagraph 4.a.
1421 unless the association governs 10 units or fewer and has opted
1422 out of the statutory election process, in which case the bylaws
1423 of the association control. Unless otherwise provided in the
1424 bylaws, a board member appointed or elected under this section
1425 shall fill the vacancy for the unexpired term of the seat being
1426 filled. Filling vacancies created by recall is governed by
1427 paragraph (1) and rules adopted by the division.

1428 ~~11.10.~~ This chapter does not limit the use of general or
1429 limited proxies, require the use of general or limited proxies,
1430 or require the use of a written ballot or voting machine for any
1431 agenda item or election at any meeting of a timeshare
1432 condominium association or nonresidential condominium



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1433 association.

1434

1435 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
1436 association of 10 or fewer units may, by affirmative vote of a
1437 majority of the total voting interests, provide for different
1438 voting and election procedures in its bylaws, which may be by a
1439 proxy specifically delineating the different voting and election
1440 procedures. The different voting and election procedures may
1441 provide for elections to be conducted by limited or general
1442 proxy.

1443 (e) *Budget meeting.*—

1444 1. Any meeting at which a proposed annual budget of an
1445 association will be considered by the board or unit owners shall
1446 be open to all unit owners. A meeting of the board or unit
1447 owners at which a proposed annual association budget will be
1448 considered may be conducted by video conference. The division
1449 shall adopt rules pursuant to ss. 120.536 and 120.54 governing
1450 the requirements for such meetings. A sound transmitting device
1451 must be used so that the conversation of such members may be
1452 heard by the board or committee members attending in person, as
1453 well as any unit owners present at the meeting. At least 14 days
1454 before ~~prior to~~ such a meeting, the board shall hand deliver to
1455 each unit owner, mail to each unit owner at the address last
1456 furnished to the association by the unit owner, or
1457 electronically transmit to the location furnished by the unit
1458 owner for that purpose a notice of such meeting and a copy of
1459 the proposed annual budget. An officer or manager of the
1460 association, or other person providing notice of such meeting,
1461 shall execute an affidavit evidencing compliance with such



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1462 notice requirement, and such affidavit shall be filed among the
1463 official records of the association.

1464 2.a. If a board proposes ~~adopts~~ in any fiscal year an
1465 annual budget which requires assessments against unit owners
1466 which exceed 115 percent of assessments for the preceding fiscal
1467 year, the board shall simultaneously propose a substitute budget
1468 that does not include any discretionary expenditures that are
1469 not required to be in the budget. The substitute budget must be
1470 proposed at the budget meeting before the ~~conduct a special~~
1471 ~~meeting of the unit owners to consider a substitute budget if~~
1472 ~~the board receives, within 21 days after adoption of the annual~~
1473 ~~budget, a written request for a special meeting from at least 10~~
1474 ~~percent of all voting interests. The special meeting shall be~~
1475 ~~conducted within 60 days after adoption of the annual budget. At~~
1476 ~~least 14 days~~ before such budget meeting in which a substitute
1477 budget will be proposed ~~prior to such special meeting~~, the board
1478 shall hand deliver to each unit owner, or mail to each unit
1479 owner at the address last furnished to the association, a notice
1480 of the meeting. An officer or manager of the association, or
1481 other person providing notice of such meeting shall execute an
1482 affidavit evidencing compliance with this notice requirement,
1483 and such affidavit shall be filed among the official records of
1484 the association. Unit owners must ~~may~~ consider and may adopt a
1485 substitute budget at the ~~special~~ meeting. A substitute budget is
1486 adopted if approved by a majority of all voting interests unless
1487 the bylaws require adoption by a greater percentage of voting
1488 interests. ~~If there is not a quorum at the special meeting or a~~
1489 ~~substitute budget is not adopted, the annual budget previously~~
1490 initially proposed ~~adopted~~ by the board may be adopted ~~shall~~



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1491 ~~take effect as scheduled.~~

1492 b. Any determination of whether assessments exceed 115
1493 percent of assessments for the prior fiscal year shall exclude
1494 any authorized provision for required ~~reasonable~~ reserves for
1495 repair or replacement of the condominium property, anticipated
1496 expenses of the association which the board does not expect to
1497 be incurred on a regular or annual basis for the repair,
1498 maintenance, or replacement of the items listed in paragraph
1499 (g), and insurance premiums, ~~or assessments for betterments to~~
1500 ~~the condominium property.~~

1501 c. If the developer controls the board, assessments may
1502 ~~shall~~ not exceed 115 percent of assessments for the prior fiscal
1503 year unless approved by a majority of all voting interests.

1504 (f) *Annual budget.*—

1505 1. The proposed annual budget of estimated revenues and
1506 expenses must be detailed and must show the amounts budgeted by
1507 accounts and expense classifications, including, at a minimum,
1508 any applicable expenses listed in s. 718.504(21). The board
1509 shall adopt the annual budget at least 14 days before the start
1510 of the association's fiscal year. In the event that the board
1511 fails to timely adopt the annual budget a second time, it is
1512 deemed a minor violation and the prior year's budget shall
1513 continue in effect until a new budget is adopted. A
1514 multicondominium association must adopt a separate budget of
1515 common expenses for each condominium the association operates
1516 and must adopt a separate budget of common expenses for the
1517 association. In addition, if the association maintains limited
1518 common elements with the cost to be shared only by those
1519 entitled to use the limited common elements as provided for in



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1520 s. 718.113(1), the budget or a schedule attached to it must show
1521 the amount budgeted for this maintenance. If, after turnover of
1522 control of the association to the unit owners, any of the
1523 expenses listed in s. 718.504(21) are not applicable, they do
1524 not need to be listed.

1525 2.a. In addition to annual operating expenses, the budget
1526 must include reserve accounts for capital expenditures and
1527 deferred maintenance. These accounts must include, but are not
1528 limited to, roof replacement, building painting, and pavement
1529 resurfacing, regardless of the amount of deferred maintenance
1530 expense or replacement cost, and any other item that has a
1531 deferred maintenance expense or replacement cost that exceeds
1532 \$25,000 or the inflation-adjusted amount determined by the
1533 division under subparagraph 6., whichever is greater \$10,000.
1534 The amount to be reserved must be computed using a formula based
1535 upon estimated remaining useful life and estimated replacement
1536 cost or deferred maintenance expense of the reserve item. In a
1537 budget adopted by an association that is required to obtain a
1538 structural integrity reserve study, reserves must be maintained
1539 for the items identified in paragraph (g) for which the
1540 association is responsible pursuant to the declaration of
1541 condominium, and the reserve amount for such items must be based
1542 on the findings and recommendations of the association's most
1543 recent structural integrity reserve study. If an association
1544 votes to terminate the condominium in accordance with s.
1545 718.117, the members may vote to waive the maintenance of
1546 reserves recommended by the association's most recent structural
1547 integrity reserve study. With respect to items for which an
1548 estimate of useful life is not readily ascertainable or with an



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1549 estimated remaining useful life of greater than 25 years, an
1550 association is not required to reserve replacement costs for
1551 such items, but an association must reserve the amount of
1552 deferred maintenance expense, if any, which is recommended by
1553 the structural integrity reserve study for such items. The
1554 association may adjust replacement reserve assessments annually
1555 to take into account an inflation adjustment and any changes in
1556 estimates or extension of the useful life of a reserve item
1557 caused by deferred maintenance.

1558 b. The members of a unit-owner-controlled association may
1559 determine, by a majority vote of the total voting interests of
1560 the association, to provide no reserves or less reserves than
1561 required by this subsection. For a budget adopted on or after
1562 December 31, 2024, the members of a unit-owner-controlled
1563 association that must obtain a structural integrity reserve
1564 study may not determine to provide no reserves or less reserves
1565 than required by this subsection for items listed in paragraph
1566 (g), except that members of an association ~~operating a~~
1567 ~~multicondominium~~ may determine to provide no reserves or less
1568 reserves than required by this subsection if an alternative
1569 funding method is used by the association ~~has been approved by~~
1570 ~~the division.~~

1571 c.(I) Reserves for the items listed in paragraph (g) may be
1572 funded by regular assessments, special assessments, lines of
1573 credit, or loans. A special assessment, a line of credit, or a
1574 loan under this sub-subparagraph requires the approval of a
1575 majority vote of the total voting interests of the association.

1576 (II) A unit-owner-controlled association that must have a
1577 structural integrity reserve study may secure a line of credit



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1578 or a loan to fund capital expenses required by a milestone
1579 inspection under s. 553.899 or a structural integrity reserve
1580 study. The line of credit or loan must be sufficient to fund the
1581 cumulative amount of any previously waived or unfunded portions
1582 of the reserve funding amount required by this paragraph and the
1583 most recent structural integrity reserve study. Funding from the
1584 line of credit or loan must be immediately available for access
1585 by the board to fund required repair, maintenance, or
1586 replacement expenses without further approval by the members of
1587 the association. A special assessment, a line of credit, or a
1588 loan secured under this sub-subparagraph and related details
1589 must be included in the annual financial statement that is
1590 required under s. 718.111(13) to be delivered to unit owners and
1591 required under s. 718.503 to be provided to prospective
1592 purchasers of a unit.

1593 (III) This sub-subparagraph does not apply to associations
1594 controlled by a developer as defined in s. 718.103, an
1595 association in which the nondeveloper unit owners have been in
1596 control for less than 1 year, or an association controlled by
1597 one or more bulk assignees or bulk buyers as those terms are
1598 defined in s. 718.703.

1599 d. If the local building official, as defined in s.
1600 468.603, determines that the entire condominium building is
1601 uninhabitable due to a natural emergency, as defined in s.
1602 252.34, the board, ~~upon the approval of a majority of its~~
1603 ~~members,~~ may pause the contribution to its reserves or reduce
1604 reserve funding until the local building official determines
1605 that the condominium building is habitable. Any reserve account
1606 funds held by the association may be expended, pursuant to the



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1607 board's determination, to make the condominium building and its
1608 structures habitable. Upon the determination by the local
1609 building official that the condominium building is habitable,
1610 the association must immediately resume contributing funds to
1611 its reserves.

1612 e. For a budget adopted on or before December 31, 2028, if
1613 the association has completed a milestone inspection pursuant to
1614 s. 553.899 within the previous 2 calendar years, the board, upon
1615 the approval of a majority of the total voting interests of the
1616 association, may temporarily pause, for a period of no more than
1617 two consecutive annual budgets, reserve fund contributions or
1618 reduce the amount of reserve funding for the purpose of funding
1619 repairs recommended by the milestone inspection. This sub-
1620 subparagraph does not apply to an association controlled by a
1621 developer as defined in s. 718.103, an association in which the
1622 nondeveloper unit owners have been in control for less than 1
1623 year, or an association controlled by one or more bulk assignees
1624 or bulk buyers as those terms are defined in s. 718.703. An
1625 association that has paused reserve contributions under this
1626 subparagraph must have a structural integrity reserve study
1627 performed before the continuation of reserve contributions in
1628 order to determine the association's reserve funding needs and
1629 to recommend a reserve funding plan.

1630 f. Before turnover of control of an association by a
1631 developer to unit owners other than a developer under s.
1632 718.301, the developer-controlled association may not vote to
1633 waive the reserves or reduce funding of the reserves. If a
1634 meeting of the unit owners has been called to determine whether
1635 to waive or reduce the funding of reserves and no such result is



1636 achieved or a quorum is not attained, the reserves included in
1637 the budget shall go into effect. After the turnover, the
1638 developer may vote its voting interest to waive or reduce the
1639 funding of reserves.

1640 3. Reserve funds and any interest accruing thereon shall
1641 remain in the reserve account or accounts, and may be used only
1642 for authorized reserve expenditures unless their use for other
1643 purposes is approved in advance by a majority vote of all the
1644 total voting interests of the association. Before turnover of
1645 control of an association by a developer to unit owners other
1646 than the developer pursuant to s. 718.301, the developer-
1647 controlled association may not vote to use reserves for purposes
1648 other than those for which they were intended. For a budget
1649 adopted on or after December 31, 2024, members of a unit-owner-
1650 controlled association that must obtain a structural integrity
1651 reserve study may not vote to use reserve funds, or any interest
1652 accruing thereon, for any other purpose other than the
1653 replacement or deferred maintenance costs of the components
1654 listed in paragraph (g).

1655 4. An association's reserve accounts may be pooled for two
1656 or more required components. Reserve funding for components
1657 listed in paragraph (g) may only be pooled with other components
1658 listed in paragraph (g). The reserve funding indicated in the
1659 proposed annual budget must be sufficient to ensure that
1660 available funds meet or exceed projected expenses for all
1661 components in the reserve pool based on the reserve funding plan
1662 or schedule of the most recent structural integrity reserve
1663 study. A vote of the members is not required for the board to
1664 change the accounting method for reserves to a pooling



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1665 accounting method or a straight-line accounting method.

1666 5.4. The only voting interests that are eligible to vote on
1667 questions that involve waiving or reducing the funding of
1668 reserves, or using existing reserve funds for purposes other
1669 than purposes for which the reserves were intended, are the
1670 voting interests of the units subject to assessment to fund the
1671 reserves in question. Proxy questions relating to waiving or
1672 reducing the funding of reserves or using existing reserve funds
1673 for purposes other than purposes for which the reserves were
1674 intended must contain the following statement in capitalized,
1675 bold letters in a font size larger than any other used on the
1676 face of the proxy ballot:

1677
1678 WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING
1679 ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN
1680 UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED
1681 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

1682
1683 6. The division shall annually adjust for inflation, based
1684 on the Consumer Price Index for All Urban Consumers released in
1685 January of each year, the minimum \$25,000 threshold amount for
1686 required reserves. By February 1, 2026, and annually thereafter,
1687 the division must conspicuously post on its website the
1688 inflation-adjusted minimum threshold amount for required
1689 reserves.

1690 (g) *Structural integrity reserve study.*—

1691 1. A residential condominium association must have a
1692 structural integrity reserve study completed at least every 10
1693 years after the condominium's creation for each building on the



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1694 condominium property that is three stories or higher in height,
1695 as determined by the Florida Building Code, which includes, at a
1696 minimum, a study of the following items as related to the
1697 structural integrity and safety of the building:

- 1698 a. Roof.
- 1699 b. Structure, including load-bearing walls and other
1700 primary structural members and primary structural systems as
1701 those terms are defined in s. 627.706.
- 1702 c. Fireproofing and fire protection systems.
- 1703 d. Plumbing.
- 1704 e. Electrical systems.
- 1705 f. Waterproofing and exterior painting.
- 1706 g. Windows and exterior doors.
- 1707 h. Any other item that has a deferred maintenance expense
1708 or replacement cost that exceeds \$25,000 or the inflation-
1709 adjusted amount determined by the division under subparagraph
1710 (f) 6., whichever is greater, ~~\$10,000~~ and the failure to replace
1711 or maintain such item negatively affects the items listed in
1712 sub-subparagraphs a.-g., as determined by the visual inspection
1713 portion of the structural integrity reserve study.

1714 2. A structural integrity reserve study is based on a
1715 visual inspection of the condominium property.

1716 3.a. A structural integrity reserve study ~~may be performed~~
1717 ~~by any person qualified to perform such study. However,~~
1718 including the visual inspection portion of the structural
1719 integrity reserve study, must be performed or verified by an
1720 engineer licensed under chapter 471, an architect licensed under
1721 chapter 481, or a person certified as a reserve specialist or
1722 professional reserve analyst by the Community Associations



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1723 Institute or the Association of Professional Reserve Analysts.

1724 b. Any design professional as defined in s. 558.002 or any
1725 contractor licensed under chapter 489 who bids to perform a
1726 structural integrity reserve study must disclose in writing to
1727 the association his or her intent to bid on any services related
1728 to any maintenance, repair, or replacement that may be
1729 recommended by the structural integrity reserve study. Any
1730 design professional as defined in s. 558.002 or contractor
1731 licensed under chapter 489 who submits a bid to the association
1732 for performing any services recommended by the structural
1733 integrity reserve study may not have an interest, directly or
1734 indirectly, in the firm or entity providing the association's
1735 structural integrity reserve study or be a relative of any
1736 person having a direct or indirect interest in such firm, unless
1737 such relationship is disclosed to the association in writing. As
1738 used in this section, the term "relative" means a relative
1739 within the third degree of consanguinity by blood or marriage. A
1740 contract for services is voidable and terminates upon the
1741 association filing a written notice terminating the contract if
1742 the design professional or licensed contractor failed to provide
1743 the written disclosure of the interests or relationships
1744 required under this paragraph. A design professional or licensed
1745 contractor may be subject to discipline under the applicable
1746 practice act for his or her profession for failure to provide
1747 the written disclosure of the interests or relationships
1748 required under this paragraph.

1749 4.a.3- At a minimum, a structural integrity reserve study
1750 must identify each item of the condominium property being
1751 visually inspected, state the estimated remaining useful life



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1752 and the estimated replacement cost or deferred maintenance
1753 expense of each item of the condominium property being visually
1754 inspected, and provide a reserve funding plan or schedule with a
1755 recommended annual reserve amount that achieves the estimated
1756 replacement cost or deferred maintenance expense of each item of
1757 condominium property being visually inspected by the end of the
1758 estimated remaining useful life of the item. At a minimum, the
1759 structural integrity reserve study must include a recommendation
1760 for a reserve funding schedule based on a baseline funding plan
1761 that provides a reserve funding goal in which the reserve
1762 funding for each budget year is sufficient to maintain the
1763 reserve cash balance above zero. The study may recommend other
1764 types of reserve funding schedules, provided that each
1765 recommended schedule is sufficient to meet the association's
1766 maintenance obligation.

1767 b. The structural integrity reserve study may recommend
1768 that reserves do not need to be maintained for any item for
1769 which an estimate of useful life and an estimate of replacement
1770 cost cannot be determined, or the study may recommend a deferred
1771 maintenance expense amount for such item. The structural
1772 integrity reserve study may recommend that reserves for
1773 replacement costs do not need to be maintained for any item with
1774 an estimated remaining useful life of greater than 25 years, but
1775 the study may recommend a deferred maintenance expense amount
1776 for such item. If the structural integrity reserve study
1777 recommends reserves for any item for which reserves are not
1778 required under this paragraph, the amount of the recommended
1779 reserves for such item must be separately identified in the
1780 structural integrity reserve study as an item for which reserves



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1781 are not required under this paragraph.

1782 c. The structural integrity reserve study must take into
1783 consideration the funding method or methods used by the
1784 association to fund its maintenance and reserve funding
1785 obligations through regular assessments, special assessments,
1786 lines of credit, or loans. If the structural integrity reserve
1787 study is performed before the association has approved a special
1788 assessment or secured a line of credit or a loan, the structural
1789 integrity reserve study must be updated to reflect the funding
1790 method selected by the association and its effect on the reserve
1791 funding schedule, including any anticipated change in the amount
1792 of regular assessments. The structural integrity reserve study
1793 may be updated to reflect any changes to the useful life of the
1794 reserve items after such items are repaired or replaced, and the
1795 effect such repair or replacement will have on the reserve
1796 funding schedule. The association must obtain an updated
1797 structural integrity reserve study before adopting any budget in
1798 which the reserve funding from regular assessments, special
1799 assessments, lines of credit, or loans do not align with the
1800 funding plan from the most recent version of the structural
1801 integrity reserve study.

1802 ~~5.4.~~ This paragraph does not apply to buildings less than
1803 three stories in height; single-family, two-family, ~~or~~ three-
1804 family, or four-family dwellings with three or fewer habitable
1805 stories above ground; any portion or component of a building
1806 that has not been submitted to the condominium form of
1807 ownership; or any portion or component of a building that is
1808 maintained by a party other than the association.

1809 ~~6.5.~~ Before a developer turns over control of an



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1810 association to unit owners other than the developer, the
1811 developer must have a turnover inspection report in compliance
1812 with s. 718.301(4)(p) and (q) for each building on the
1813 condominium property that is three stories or higher in height.

1814 ~~7.6-~~ Associations existing on or before July 1, 2022, which
1815 are controlled by unit owners other than the developer, must
1816 have a structural integrity reserve study completed by December
1817 31, 2025 2024, for each building on the condominium property
1818 that is three stories or higher in height. An association that
1819 is required to complete a milestone inspection in accordance
1820 with s. 553.899 on or before December 31, 2026, may complete the
1821 structural integrity reserve study simultaneously with the
1822 milestone inspection. In no event may the structural integrity
1823 reserve study be completed after December 31, 2026.

1824 ~~8.7-~~ If the milestone inspection required by s. 553.899, or
1825 an inspection completed for a similar local requirement, was
1826 performed within the past 5 years and meets the requirements of
1827 this paragraph, such inspection may be used in place of the
1828 visual inspection portion of the structural integrity reserve
1829 study.

1830 9. If the association completes a milestone inspection
1831 required by s. 553.899, or an inspection completed for a similar
1832 local requirement, the association may delay performance of a
1833 required structural integrity reserve study for no more than the
1834 2 consecutive budget years immediately following the milestone
1835 inspection in order to allow the association to focus its
1836 financial resources on completing the repair and maintenance
1837 recommendations of the milestone inspection.

1838 ~~10.8-~~ If the officers or directors of an association



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1839 willfully and knowingly fail to complete a structural integrity
1840 reserve study pursuant to this paragraph, such failure is a
1841 breach of an officer's or a ~~and~~ director's fiduciary
1842 relationship to the unit owners under s. 718.111(1). An officer
1843 or a director of an association must sign an affidavit
1844 acknowledging receipt of the completed structural integrity
1845 reserve study.

1846 11.9. Within 45 days after receiving the structural
1847 integrity reserve study, the association must distribute a copy
1848 of the study to each unit owner or deliver to each unit owner a
1849 notice that the completed study is available for inspection and
1850 copying upon a written request. Distribution of a copy of the
1851 study or notice must be made by United States mail or personal
1852 delivery to the mailing address, property address, or any other
1853 address of the owner provided to fulfill the association's
1854 notice requirements under this chapter, or by electronic
1855 transmission to the e-mail address or facsimile number provided
1856 to fulfill the association's notice requirements to unit owners
1857 who previously consented to receive notice by electronic
1858 transmission.

1859 12.10. Within 45 days after receiving the structural
1860 integrity reserve study, the association must provide the
1861 division with a statement indicating that the study was
1862 completed and that the association provided or made available
1863 such study to each unit owner in accordance with this section.
1864 The statement must be provided to the division in the manner
1865 established by the division using a form posted on the
1866 division's website.

1867 13. The division shall adopt by rule the form for the



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1868 structural integrity reserve study in coordination with the
1869 Florida Building Commission.

1870 Section 9. Paragraphs (d) and (e) of subsection (5) of
1871 section 718.113, Florida Statutes, are amended to read:

1872 718.113 Maintenance; limitation upon improvement; display
1873 of flag; hurricane protection; display of religious
1874 decorations.-

1875 (5) To protect the health, safety, and welfare of the
1876 people of the state and to ensure uniformity and consistency in
1877 the hurricane protections installed by condominium associations
1878 and unit owners, this subsection applies to all residential and
1879 mixed-use condominiums in the state, regardless of when the
1880 condominium is created pursuant to the declaration of
1881 condominium. Each board of administration of a residential
1882 condominium or mixed-use condominium must adopt hurricane
1883 protection specifications for each building within each
1884 condominium operated by the association which may include color,
1885 style, and other factors deemed relevant by the board. All
1886 specifications adopted by the board must comply with the
1887 applicable building code. The installation, maintenance, repair,
1888 replacement, and operation of hurricane protection in accordance
1889 with this subsection is not considered a material alteration or
1890 substantial addition to the common elements or association
1891 property within the meaning of this section.

1892 (d) Unless otherwise provided in the declaration as
1893 originally recorded, or as amended, a unit owner is not
1894 responsible for the cost of any removal or reinstallation of
1895 hurricane protection, including exterior windows, doors, or
1896 other apertures, if its removal is necessary for the



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1897 maintenance, repair, or replacement of other condominium
1898 property or association property for which the association is
1899 responsible. The board shall determine if the removal or
1900 reinstallation of hurricane protection must be completed by the
1901 unit owner or the association if the declaration as originally
1902 recorded, or as amended, does not specify who is responsible for
1903 such costs. If such removal or reinstallation is completed by
1904 the association, the costs incurred by the association may not
1905 be charged to the unit owner. If such removal or reinstallation
1906 is completed by the unit owner, the association must reimburse
1907 the unit owner for the cost of the removal or reinstallation or
1908 the association must apply a credit toward future assessments in
1909 the amount of the unit owner's cost to remove or reinstall the
1910 hurricane protection.

1911 ~~(c) If the removal or reinstallation of hurricane~~
1912 ~~protection, including exterior windows, doors, or other~~
1913 ~~apertures, is the responsibility of the unit owner and the~~
1914 ~~association completes such removal or reinstallation and then~~
1915 ~~charges the unit owner for such removal or reinstallation, such~~
1916 ~~charges are enforceable as an assessment and may be collected in~~
1917 ~~the manner provided under s. 718.116.~~

1918 Section 10. Paragraph (h) of subsection (1) of section
1919 718.1265, Florida Statutes, is amended to read:

1920 718.1265 Association emergency powers.-

1921 (1) To the extent allowed by law, unless specifically
1922 prohibited by the declaration of condominium, the articles, or
1923 the bylaws of an association, and consistent with s. 617.0830,
1924 the board of administration, in response to damage or injury
1925 caused by or anticipated in connection with an emergency, as



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1926 defined in s. 252.34(4), for which a state of emergency is
1927 declared pursuant to s. 252.36 in the locale in which the
1928 condominium is located, may exercise the following powers:

1929 (h) Require the evacuation of the condominium property in
1930 the event of an a-mandatory evacuation order in the locale in
1931 which the condominium is located. If a ~~Should any~~ unit owner or
1932 other occupant of a condominium fails or refuses ~~fail or refuse~~
1933 to evacuate the condominium property or association property for
1934 which ~~where~~ the board has required evacuation, the association
1935 is ~~shall be~~ immune from liability or injury to persons or
1936 property arising from such failure or refusal.

1937 Section 11. Present subsection (6) of section 718.128,
1938 Florida Statutes, is redesignated as subsection (8), a new
1939 subsection (6) and subsection (7) are added to that section, and
1940 subsection (4) of that section is amended, to read:

1941 718.128 Electronic voting.—The association may conduct
1942 elections and other unit owner votes through an Internet-based
1943 online voting system if a unit owner consents, electronically or
1944 in writing, to online voting and if the following requirements
1945 are met:

1946 (4) This section applies to an association that provides
1947 for and authorizes an online voting system pursuant to this
1948 section by a board resolution. If the board authorizes online
1949 voting, the board must honor a unit owner's request to vote
1950 electronically at all subsequent elections, unless such unit
1951 owner opts out of online voting. The board resolution must
1952 provide that unit owners receive notice of the opportunity to
1953 vote through an online voting system, must establish reasonable
1954 procedures and deadlines for unit owners to consent,



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1955 electronically or in writing, to online voting, and must
1956 establish reasonable procedures and deadlines for unit owners to
1957 opt out of online voting after giving consent. ~~Written notice of~~
1958 ~~a meeting at which the resolution will be considered must be~~
1959 ~~mailed, delivered, or electronically transmitted to the unit~~
1960 ~~owners and posted conspicuously on the condominium property or~~
1961 ~~association property at least 14 days before the meeting.~~
1962 ~~Evidence of compliance with the 14-day notice requirement must~~
1963 ~~be made by an affidavit executed by the person providing the~~
1964 ~~notice and filed with the official records of the association.~~

1965 (6) If at least 25 percent of the voting interests of a
1966 condominium petition the board to adopt a resolution for
1967 electronic voting for the next scheduled election, the board
1968 must hold a meeting within 21 days after receipt of the petition
1969 to adopt such resolution. The board must receive the petition
1970 within 180 days after the date of the last scheduled annual
1971 meeting.

1972 (7) (a) Unless the association has adopted electronic voting
1973 in accordance with subsections (1)-(6), the association must
1974 designate an e-mail address for receipt of electronically
1975 transmitted ballots. Electronically transmitted ballots must
1976 meet all the requirements of this subsection.

1977 (b) A unit owner may electronically transmit a ballot to
1978 the e-mail address designated by the association without
1979 complying with s. 718.112(2)(d)4. or the rules providing for the
1980 secrecy of ballots adopted by the division. The association must
1981 count completed ballots that are electronically transmitted to
1982 the designated e-mail address, provided the completed ballots
1983 comply with the requirements of this subsection.



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1984 (c) A ballot that is electronically transmitted to the
1985 association must include all of the following:

1986 1. A space for the unit owner to type in his or her unit
1987 number.

1988 2. A space for the unit owner to type in his or her first
1989 and last name, which also functions as the signature of the unit
1990 owner for purposes of signing the ballot.

1991 3. The following statement in capitalized letters and in a
1992 font size larger than any other font size used in the e-mail
1993 from the association to the unit owner:

1994
1995 WAIVING THE SECRECY OF YOUR BALLOT IS YOUR CHOICE. YOU
1996 DO NOT HAVE TO WAIVE THE SECRECY OF YOUR BALLOT IN
1997 ORDER TO VOTE. BY TRANSMITTING YOUR COMPLETED BALLOT
1998 THROUGH E-MAIL TO THE ASSOCIATION, YOU WAIVE THE
1999 SECRECY OF YOUR COMPLETED BALLOT. IF YOU DO NOT WISH
2000 TO WAIVE YOUR SECRECY BUT WISH TO PARTICIPATE IN THE
2001 VOTE THAT IS THE SUBJECT OF THIS BALLOT, PLEASE ATTEND
2002 THE IN-PERSON MEETING DURING WHICH THE MATTER WILL BE
2003 VOTED ON.

2004
2005 (d) A unit owner must transmit his or her completed ballot
2006 to the e-mail address designated by the association no later
2007 than the scheduled date and time of the meeting during which the
2008 matter is being voted on.

2009 (e) There is a rebuttable presumption that an association
2010 has reviewed all folders associated with the e-mail address
2011 designated by the association to receive ballots if a board
2012 member, an officer, or an agent of the association, or a manager



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2013 licensed under part VIII of chapter 468, provides a sworn
2014 affidavit attesting to such review.

2015 Section 12. Subsection (7) of section 718.203, Florida
2016 Statutes, is amended to read:

2017 718.203 Warranties.—

2018 (7) ~~Residential~~ Condominiums may be covered by an insured
2019 warranty program underwritten by a licensed insurance company
2020 registered in this state, provided that such warranty program
2021 meets the minimum requirements of this chapter; to the degree
2022 that such warranty program does not meet the minimum
2023 requirements of this chapter, such requirements shall apply.

2024 Section 13. Subsection (1) of section 718.301, Florida
2025 Statutes, is amended to read:

2026 718.301 Transfer of association control; claims of defect
2027 by association.—

2028 (1) If unit owners other than the developer own 15 percent
2029 or more of the units in a condominium that will be operated
2030 ultimately by an association, the unit owners other than the
2031 developer are entitled to elect at least one-third of the
2032 members of the board of administration of the association. Unit
2033 owners other than the developer are entitled to elect at least a
2034 majority of the members of the board of administration of an
2035 association, upon the first to occur of any of the following
2036 events:

2037 (a) Three years after 50 percent of the units that will be
2038 operated ultimately by the association have been conveyed to
2039 purchasers;

2040 (b) Three months after 90 percent of the units that will be
2041 operated ultimately by the association have been conveyed to



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2042 purchasers;

2043 (c) When all the units that will be operated ultimately by
2044 the association have been completed, some of them have been
2045 conveyed to purchasers, and none of the others are being offered
2046 for sale by the developer in the ordinary course of business;

2047 (d) When some of the units have been conveyed to purchasers
2048 and none of the others are being constructed or offered for sale
2049 by the developer in the ordinary course of business;

2050 (e) When the developer files a petition seeking protection
2051 in bankruptcy;

2052 (f) When a receiver for the developer is appointed by a
2053 circuit court and is not discharged within 30 days after such
2054 appointment, unless the court determines within 30 days after
2055 appointment of the receiver that transfer of control would be
2056 detrimental to the association or its members; or

2057 (g) Seven years after the date of the recording of the
2058 certificate of a surveyor and mapper pursuant to s.
2059 718.104(4)(e) or the recording of an instrument that transfers
2060 title to a unit in the condominium which is not accompanied by a
2061 recorded assignment of developer rights in favor of the grantee
2062 of such unit, whichever occurs first; or, in the case of an
2063 association that may ultimately operate more than one
2064 condominium, 7 years after the date of the recording of the
2065 certificate of a surveyor and mapper pursuant to s.
2066 718.104(4)(e) or the recording of an instrument that transfers
2067 title to a unit which is not accompanied by a recorded
2068 assignment of developer rights in favor of the grantee of such
2069 unit, whichever occurs first, for the first condominium it
2070 operates; or, in the case of an association operating a phase



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2071 condominium created pursuant to s. 718.403, 7 years after the
2072 date of the recording of the certificate of a surveyor and
2073 mapper pursuant to s. 718.104(4)(e) or the recording of an
2074 instrument that transfers title to a unit which is not
2075 accompanied by a recorded assignment of developer rights in
2076 favor of the grantee of such unit, whichever occurs first.

2077
2078 The developer is entitled to elect at least one member of the
2079 board of administration of an association as long as the
2080 developer holds for sale in the ordinary course of business at
2081 least 5 percent, in condominiums with fewer than 500 units, and
2082 2 percent, in condominiums with more than 500 units, of the
2083 units in a condominium operated by the association. After the
2084 developer relinquishes control of the association, the developer
2085 may exercise the right to vote any developer-owned units in the
2086 same manner as any other unit owner except for purposes of
2087 reacquiring control of the association or selecting the majority
2088 members of the board of administration. Beginning July 1, 2025,
2089 paragraphs (a), (c), (d), and (g) do not apply to nonresidential
2090 condominiums consisting of 10 or fewer units.

2091 Section 14. Subsection (1) of section 718.302, Florida
2092 Statutes, is amended to read:

2093 718.302 Agreements entered into by the association.—

2094 (1) Any grant or reservation made by a declaration, lease,
2095 or other document, and any contract made by an association
2096 before ~~prior to~~ assumption of control of the association by unit
2097 owners other than the developer, that provides for operation,
2098 maintenance, or management of a condominium association or
2099 property serving the unit owners of a condominium shall be fair



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2100 and reasonable, and such grant, reservation, or contract may be
2101 canceled by unit owners other than the developer:

2102 (a) If the association operates only one condominium and
2103 the unit owners other than the developer have assumed control of
2104 the association, or if unit owners other than the developer own
2105 at least ~~not less than~~ 75 percent of the voting interests in the
2106 condominium or own at least 90 percent of the voting interests
2107 if the condominium is a nonresidential condominium consisting of
2108 10 or fewer units, the cancellation ~~shall~~ must be by concurrence
2109 of the owners of at least ~~not less than~~ 75 percent of the voting
2110 interests other than the voting interests owned by the
2111 developer. If a grant, reservation, or contract is so canceled
2112 and the unit owners other than the developer have not assumed
2113 control of the association, the association ~~shall~~ must make a
2114 new contract or otherwise provide for maintenance, management,
2115 or operation in lieu of the canceled obligation, at the
2116 direction of the owners of not less than a majority of the
2117 voting interests in the condominium other than the voting
2118 interests owned by the developer.

2119 (b) If the association operates more than one condominium
2120 and the unit owners other than the developer have not assumed
2121 control of the association, and if unit owners other than the
2122 developer own at least 75 percent of the voting interests in the
2123 condominiums ~~a condominium~~ operated by the association or,
2124 beginning July 1, 2025, own at least 90 percent of the voting
2125 interests if the condominium is a nonresidential condominium
2126 consisting of 10 or fewer units, any grant, reservation, or
2127 contract for maintenance, management, or operation of buildings
2128 containing the units in that condominium or of improvements used



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2129 only by unit owners of that condominium may be canceled by
2130 concurrence of the owners of at least 75 percent, or the owners
2131 of at least 90 percent if the condominium is a nonresidential
2132 condominium consisting of 10 or fewer units, of the voting
2133 interests in the condominium other than the voting interests
2134 owned by the developer. A ~~No~~ grant, reservation, or contract for
2135 maintenance, management, or operation of recreational areas or
2136 any other property serving more than one condominium, and
2137 operated by more than one association, may not be canceled
2138 except pursuant to paragraph (d).

2139 (c) If the association operates more than one condominium
2140 and the unit owners other than the developer have assumed
2141 control of the association, the cancellation shall be by
2142 concurrence of the owners of not less than 75 percent of the
2143 total number of voting interests in all condominiums operated by
2144 the association other than the voting interests owned by the
2145 developer.

2146 (d) If the owners of units in a condominium have the right
2147 to use property in common with owners of units in other
2148 condominiums and those condominiums are operated by more than
2149 one association, no grant, reservation, or contract for
2150 maintenance, management, or operation of the property serving
2151 more than one condominium may be canceled until unit owners
2152 other than the developer have assumed control of all of the
2153 associations operating the condominiums that are to be served by
2154 the recreational area or other property, after which
2155 cancellation may be effected by concurrence of the owners of not
2156 less than 75 percent of the total number of voting interests in
2157 those condominiums other than voting interests owned by the



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2158 developer.

2159 Section 15. Subsection (4) of section 718.407, Florida
2160 Statutes, is amended to read:

2161 718.407 Condominiums created within a portion of a building
2162 or within a multiple parcel building.—

2163 (4) (a) The association of a condominium subject to this
2164 section may inspect and copy the books and records upon which
2165 the costs for maintaining and operating the shared facilities
2166 are based, and must ~~to~~ receive an annual budget with respect to
2167 such costs.

2168 (b) Within 60 days after the end of each fiscal year, the
2169 owner of a portion of a building that is not subject to the
2170 condominium form of ownership shall provide to the association a
2171 complete financial report of all costs for maintaining and
2172 operating the shared facilities. Such report must include copies
2173 of all receipts and invoices. If such owner fails to provide the
2174 report and copies of the receipts and invoices to the
2175 condominium association within the 60-day period, the division
2176 may impose penalties and otherwise enforce and ensure compliance
2177 with this subsection.

2178 (c) Within 60 days after receipt of the complete financial
2179 report, the association may challenge any apportionment of costs
2180 for the maintenance and operation of the shared facilities. A
2181 challenge under this paragraph is governed by s. 720.311.

2182 Section 16. Subsections (1) and (3) of section 718.501,
2183 Florida Statutes, are amended, and paragraph (d) is added to
2184 subsection (2) of that section, to read:

2185 718.501 Authority, responsibility, and duties of Division
2186 of Florida Condominiums, Timeshares, and Mobile Homes.—



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2187 (1) The division may enforce and ensure compliance with
2188 this chapter and rules relating to the development,
2189 construction, sale, lease, ownership, operation, and management
2190 of residential condominium units and complaints ~~related to the~~
2191 ~~procedural completion of milestone inspections under s. 553.899.~~
2192 In performing its duties, the division has complete jurisdiction
2193 to investigate complaints and enforce compliance with respect to
2194 associations that are still under developer control or the
2195 control of a bulk assignee or bulk buyer pursuant to part VII of
2196 this chapter and complaints against developers, bulk assignees,
2197 or bulk buyers involving improper turnover or failure to
2198 turnover, pursuant to s. 718.301. However, after turnover has
2199 occurred, the division has jurisdiction to review records and
2200 investigate complaints related only to:

2201 (a)1. Procedural aspects and records relating to financial
2202 issues, including annual financial reporting under s.
2203 718.111(13); assessments for common expenses, fines, and
2204 commingling of reserve and operating funds under s. 718.111(14);
2205 use of debit cards for unintended purposes under s. 718.111(15);
2206 the annual operating budget and the allocation of reserve funds
2207 under s. 718.112(2)(f); financial records under s.
2208 718.111(12)(a)11.; and any other record necessary to determine
2209 the revenues and expenses of the association.

2210 2. Elections, including election and voting requirements
2211 under s. 718.112(2)(b) and (d), recall of board members under s.
2212 718.112(2)(1), electronic voting under s. 718.128, and elections
2213 that occur during an emergency under s. 718.1265(1)(a).

2214 3. The maintenance of and unit owner access to association
2215 records under s. 718.111(12).



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2216 4. The procedural aspects of meetings, including unit owner
2217 meetings, quorums, voting requirements, proxies, board of
2218 administration meetings, and budget meetings under s.
2219 718.112(2).

2220 5. The disclosure of conflicts of interest under ss.
2221 718.111(1)(a) and 718.3027, including limitations contained in
2222 s. 718.111(3)(f).

2223 6. The removal of a board director or officer under ss.
2224 718.111(1)(a) and (15) and 718.112(2)(p) and (q).

2225 7. The procedural completion of structural integrity
2226 reserve studies under s. 718.112(2)(g) and the milestone
2227 inspections under s. 553.899.

2228 8. Completion of repairs required by a milestone inspection
2229 under s. 553.899.

2230 ~~9.8.~~ Any written inquiries by unit owners to the
2231 association relating to such matters, including written
2232 inquiries under s. 718.112(2)(a)2.

2233 10. The requirement for associations to maintain an
2234 insurance policy or fidelity bonding for all persons who control
2235 or disperse funds of the association under s. 718.111(11)(h).

2236 11. Board member education requirements under s.
2237 718.112(2)(d)5.b.

2238 12. Reporting requirements for structural integrity reserve
2239 studies under subsection (3) and under s. 718.112(2)(g)12.

2240 (b)1. The division may make necessary public or private
2241 investigations within or outside this state to determine whether
2242 any person has violated this chapter or any rule or order
2243 hereunder, to aid in the enforcement of this chapter, or to aid
2244 in the adoption of rules or forms.



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2245 2. The division may submit any official written report,
2246 worksheet, or other related paper, or a duly certified copy
2247 thereof, compiled, prepared, drafted, or otherwise made by and
2248 duly authenticated by a financial examiner or analyst to be
2249 admitted as competent evidence in any hearing in which the
2250 financial examiner or analyst is available for cross-examination
2251 and attests under oath that such documents were prepared as a
2252 result of an examination or inspection conducted pursuant to
2253 this chapter.

2254 (c) The division may require or permit any person to file a
2255 statement in writing, under oath or otherwise, as the division
2256 determines, as to the facts and circumstances concerning a
2257 matter to be investigated.

2258 (d) For the purpose of any investigation under this
2259 chapter, the division director or any officer or employee
2260 designated by the division director may administer oaths or
2261 affirmations, subpoena witnesses and compel their attendance,
2262 take evidence, and require the production of any matter which is
2263 relevant to the investigation, including the existence,
2264 description, nature, custody, condition, and location of any
2265 books, documents, or other tangible things and the identity and
2266 location of persons having knowledge of relevant facts or any
2267 other matter reasonably calculated to lead to the discovery of
2268 material evidence. Upon the failure by a person to obey a
2269 subpoena or to answer questions propounded by the investigating
2270 officer and upon reasonable notice to all affected persons, the
2271 division may apply to the circuit court for an order compelling
2272 compliance.

2273 (e) Notwithstanding any remedies available to unit owners



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2274 and associations, if the division has reasonable cause to
2275 believe that a violation of any provision of this chapter or
2276 related rule has occurred, the division may institute
2277 enforcement proceedings in its own name against any developer,
2278 bulk assignee, bulk buyer, association, officer, or member of
2279 the board of administration, or its assignees or agents, as
2280 follows:

2281 1. The division may permit a person whose conduct or
2282 actions may be under investigation to waive formal proceedings
2283 and enter into a consent proceeding whereby orders, rules, or
2284 letters of censure or warning, whether formal or informal, may
2285 be entered against the person.

2286 2. The division may issue an order requiring the developer,
2287 bulk assignee, bulk buyer, association, developer-designated
2288 officer, or developer-designated member of the board of
2289 administration, developer-designated assignees or agents, bulk
2290 assignee-designated assignees or agents, bulk buyer-designated
2291 assignees or agents, community association manager, or community
2292 association management firm to cease and desist from the
2293 unlawful practice and take such affirmative action as in the
2294 judgment of the division carry out the purposes of this chapter.
2295 If the division finds that a developer, bulk assignee, bulk
2296 buyer, association, officer, or member of the board of
2297 administration, or its assignees or agents, is violating or is
2298 about to violate any provision of this chapter, any rule adopted
2299 or order issued by the division, or any written agreement
2300 entered into with the division, and presents an immediate danger
2301 to the public requiring an immediate final order, it may issue
2302 an emergency cease and desist order reciting with particularity



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2303 the facts underlying such findings. The emergency cease and
2304 desist order is effective for 90 days. If the division begins
2305 nonemergency cease and desist proceedings, the emergency cease
2306 and desist order remains effective until the conclusion of the
2307 proceedings under ss. 120.569 and 120.57.

2308 3. If a developer, bulk assignee, or bulk buyer fails to
2309 pay any restitution determined by the division to be owed, plus
2310 any accrued interest at the highest rate permitted by law,
2311 within 30 days after expiration of any appellate time period of
2312 a final order requiring payment of restitution or the conclusion
2313 of any appeal thereof, whichever is later, the division must
2314 bring an action in circuit or county court on behalf of any
2315 association, class of unit owners, lessees, or purchasers for
2316 restitution, declaratory relief, injunctive relief, or any other
2317 available remedy. The division may also temporarily revoke its
2318 acceptance of the filing for the developer to which the
2319 restitution relates until payment of restitution is made.

2320 4. The division may petition the court for appointment of a
2321 receiver or conservator. If appointed, the receiver or
2322 conservator may take action to implement the court order to
2323 ensure the performance of the order and to remedy any breach
2324 thereof. In addition to all other means provided by law for the
2325 enforcement of an injunction or temporary restraining order, the
2326 circuit court may impound or sequester the property of a party
2327 defendant, including books, papers, documents, and related
2328 records, and allow the examination and use of the property by
2329 the division and a court-appointed receiver or conservator.

2330 5. The division may apply to the circuit court for an order
2331 of restitution whereby the defendant in an action brought under



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2332 subparagraph 4. is ordered to make restitution of those sums
2333 shown by the division to have been obtained by the defendant in
2334 violation of this chapter. At the option of the court, such
2335 restitution is payable to the conservator or receiver appointed
2336 under subparagraph 4. or directly to the persons whose funds or
2337 assets were obtained in violation of this chapter.

2338 6. The division may impose a civil penalty against a
2339 developer, bulk assignee, or bulk buyer, or association, or its
2340 assignee or agent, for any violation of this chapter or related
2341 rule. The division may impose a civil penalty individually
2342 against an officer or board member who willfully and knowingly
2343 violates this chapter, an adopted rule, or a final order of the
2344 division; may order the removal of such individual as an officer
2345 or from the board of administration or as an officer of the
2346 association; and may prohibit such individual from serving as an
2347 officer or on the board of a community association for a period
2348 of time. The term "willfully and knowingly" means that the
2349 division informed the officer or board member that his or her
2350 action or intended action violates this chapter, a rule adopted
2351 under this chapter, or a final order of the division and that
2352 the officer or board member refused to comply with the
2353 requirements of this chapter, a rule adopted under this chapter,
2354 or a final order of the division. The division, before
2355 initiating formal agency action under chapter 120, must afford
2356 the officer or board member an opportunity to voluntarily
2357 comply, and an officer or board member who complies within 10
2358 days is not subject to a civil penalty. A penalty may be imposed
2359 on the basis of each day of continuing violation, but the
2360 penalty for any offense may not exceed \$5,000. The division



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2361 shall adopt~~7~~ by rule~~7~~ penalty guidelines applicable to possible
2362 violations or to categories of violations of this chapter or
2363 rules adopted by the division. The guidelines must specify a
2364 meaningful range of civil penalties for each such violation of
2365 the statute and rules and must be based upon the harm caused by
2366 the violation, upon the repetition of the violation, and upon
2367 such other factors deemed relevant by the division. For example,
2368 the division may consider whether the violations were committed
2369 by a developer, bulk assignee, or bulk buyer, or owner-
2370 controlled association, the size of the association, and other
2371 factors. The guidelines must designate the possible mitigating
2372 or aggravating circumstances that justify a departure from the
2373 range of penalties provided by the rules. It is the legislative
2374 intent that minor violations be distinguished from those which
2375 endanger the health, safety, or welfare of the condominium
2376 residents or other persons and that such guidelines provide
2377 reasonable and meaningful notice to the public of likely
2378 penalties that may be imposed for proscribed conduct. This
2379 subsection does not limit the ability of the division to
2380 informally dispose of administrative actions or complaints by
2381 stipulation, agreed settlement, or consent order. All amounts
2382 collected shall be deposited with the Chief Financial Officer to
2383 the credit of the Division of Florida Condominiums, Timeshares,
2384 and Mobile Homes Trust Fund. If a developer, bulk assignee, or
2385 bulk buyer fails to pay the civil penalty and the amount deemed
2386 to be owed to the association, the division shall issue an order
2387 directing that such developer, bulk assignee, or bulk buyer
2388 cease and desist from further operation until such time as the
2389 civil penalty is paid or may pursue enforcement of the penalty



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2390 in a court of competent jurisdiction. If an association fails to
2391 pay the civil penalty, the division shall pursue enforcement in
2392 a court of competent jurisdiction, and the order imposing the
2393 civil penalty or the cease and desist order is not effective
2394 until 20 days after the date of such order. Any action commenced
2395 by the division shall be brought in the county in which the
2396 division has its executive offices or in the county in which the
2397 violation occurred.

2398 7. If a unit owner presents the division with proof that
2399 the unit owner has requested access to official records in
2400 writing by certified mail, and that after 10 days the unit owner
2401 again made the same request for access to official records in
2402 writing by certified mail, and that more than 10 days has
2403 elapsed since the second request and the association has still
2404 failed or refused to provide access to official records as
2405 required by this chapter, the division shall issue a subpoena
2406 requiring production of the requested records at the location in
2407 which the records are kept pursuant to s. 718.112. Upon receipt
2408 of the records, the division must provide to the unit owner who
2409 was denied access to such records the produced official records
2410 without charge.

2411 8. In addition to subparagraph 6., the division may seek
2412 the imposition of a civil penalty through the circuit court for
2413 any violation for which the division may issue a notice to show
2414 cause under paragraph (t). The civil penalty shall be at least
2415 \$500 but no more than \$5,000 for each violation. The court may
2416 also award to the prevailing party court costs and reasonable
2417 attorney fees and, if the division prevails, may also award
2418 reasonable costs of investigation.



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2419 9. The division may issue citations and promulgate rules to
2420 provide for citation bases and citation procedures in accordance
2421 with this paragraph.

2422 (f) The division may prepare and disseminate a prospectus
2423 and other information to assist prospective owners, purchasers,
2424 lessees, and developers of residential condominiums in assessing
2425 the rights, privileges, and duties pertaining thereto.

2426 (g) The division may adopt rules to administer and enforce
2427 this chapter.

2428 (h) The division shall establish procedures for providing
2429 notice to an association and the developer, bulk assignee, or
2430 bulk buyer during the period in which the developer, bulk
2431 assignee, or bulk buyer controls the association if the division
2432 is considering the issuance of a declaratory statement with
2433 respect to the declaration of condominium or any related
2434 document governing such condominium community.

2435 (i) The division shall furnish each association that pays
2436 the fees required by paragraph (2)(a) a copy of this chapter, as
2437 amended, and the rules adopted thereto on an annual basis.

2438 (j) The division shall annually provide each association
2439 with a summary of declaratory statements and formal legal
2440 opinions relating to the operations of condominiums which were
2441 rendered by the division during the previous year.

2442 (k) The division shall provide training and educational
2443 programs for condominium association board members and unit
2444 owners. The training may, in the division's discretion, include
2445 web-based electronic media and live training and seminars in
2446 various locations throughout the state. The division may review
2447 and approve education and training programs for board members



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2448 and unit owners offered by providers and shall maintain a
2449 current list of approved programs and providers and make such
2450 list available to board members and unit owners in a reasonable
2451 and cost-effective manner. The division shall provide the
2452 division-approved provider with the template certificate for
2453 issuance directly to the association's board of directors who
2454 have satisfactorily completed the requirements under s.
2455 718.112(2)(d). The division shall adopt rules to implement this
2456 section.

2457 (l) The division shall maintain a toll-free telephone
2458 number accessible to condominium unit owners.

2459 (m) The division shall develop a program to certify both
2460 volunteer and paid mediators to provide mediation of condominium
2461 disputes. The division shall provide, upon request, a list of
2462 such mediators to any association, unit owner, or other
2463 participant in alternative dispute resolution proceedings under
2464 s. 718.1255 requesting a copy of the list. The division shall
2465 include on the list of volunteer mediators only the names of
2466 persons who have received at least 20 hours of training in
2467 mediation techniques or who have mediated at least 20 disputes.
2468 In order to become initially certified by the division, paid
2469 mediators must be certified by the Supreme Court to mediate
2470 court cases in county or circuit courts. However, the division
2471 may adopt, by rule, additional factors for the certification of
2472 paid mediators, which must be related to experience, education,
2473 or background. Any person initially certified as a paid mediator
2474 by the division must, in order to continue to be certified,
2475 comply with the factors or requirements adopted by rule.

2476 (n) If a complaint is made, the division must conduct its



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2477 inquiry with due regard for the interests of the affected
2478 parties. Within 30 days after receipt of a complaint, the
2479 division shall acknowledge the complaint in writing and notify
2480 the complainant whether the complaint is within the jurisdiction
2481 of the division and whether additional information is needed by
2482 the division from the complainant. The division shall conduct
2483 its investigation and, within 90 days after receipt of the
2484 original complaint or of timely requested additional
2485 information, take action upon the complaint. However, the
2486 failure to complete the investigation within 90 days does not
2487 prevent the division from continuing the investigation,
2488 accepting or considering evidence obtained or received after 90
2489 days, or taking administrative action if reasonable cause exists
2490 to believe that a violation of this chapter or a rule has
2491 occurred. If an investigation is not completed within the time
2492 limits established in this paragraph, the division shall, on a
2493 monthly basis, notify the complainant in writing of the status
2494 of the investigation. When reporting its action to the
2495 complainant, the division shall inform the complainant of any
2496 right to a hearing under ss. 120.569 and 120.57. The division
2497 may adopt rules regarding the submission of a complaint against
2498 an association.

2499 (o) Condominium association directors, officers, and
2500 employees; condominium developers; bulk assignees, bulk buyers,
2501 and community association managers; and community association
2502 management firms have an ongoing duty to reasonably cooperate
2503 with the division in any investigation under this section. The
2504 division shall refer to local law enforcement authorities any
2505 person whom the division believes has altered, destroyed,



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2506 concealed, or removed any record, document, or thing required to
2507 be kept or maintained by this chapter with the purpose to impair
2508 its verity or availability in the department's investigation.
2509 The division shall refer to local law enforcement authorities
2510 any person whom the division believes has engaged in fraud,
2511 theft, embezzlement, or other criminal activity or when the
2512 division has cause to believe that fraud, theft, embezzlement,
2513 or other criminal activity has occurred.

2514 (p) The division director or any officer or employee of the
2515 division and the condominium ombudsman or any employee of the
2516 Office of the Condominium Ombudsman may attend and observe any
2517 meeting of the board of administration or any unit owner
2518 meeting, including any meeting of a subcommittee or special
2519 committee, which is open to members of the association for the
2520 purpose of performing the duties of the division or the Office
2521 of the Condominium Ombudsman under this chapter.

2522 (q) The division may:

2523 1. Contract with agencies in this state or other
2524 jurisdictions to perform investigative functions; or

2525 2. Accept grants-in-aid from any source.

2526 (r) The division shall cooperate with similar agencies in
2527 other jurisdictions to establish uniform filing procedures and
2528 forms, public offering statements, advertising standards, and
2529 rules and common administrative practices.

2530 (s) The division shall consider notice to a developer, bulk
2531 assignee, or bulk buyer to be complete when it is delivered to
2532 the address of the developer, bulk assignee, or bulk buyer
2533 currently on file with the division.

2534 (t) In addition to its enforcement authority, the division



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2535 may issue a notice to show cause, which must provide for a
2536 hearing, upon written request, in accordance with chapter 120.

2537 (u) If the division receives a complaint regarding access
2538 to official records on the association's website or through an
2539 application that can be downloaded on a mobile device under s.
2540 718.111(12)(g), the division may request access to the
2541 association's website or application and investigate. The
2542 division may adopt rules to carry out this paragraph.

2543 (v) The division shall submit to the Governor, the
2544 President of the Senate, the Speaker of the House of
2545 Representatives, and the chairs of the legislative
2546 appropriations committees an annual report that includes, but
2547 need not be limited to, the number of training programs provided
2548 for condominium association board members and unit owners, the
2549 number of complaints received by type, the number and percent of
2550 complaints acknowledged in writing within 30 days and the number
2551 and percent of investigations acted upon within 90 days in
2552 accordance with paragraph (n), and the number of investigations
2553 exceeding the 90-day requirement. The annual report must also
2554 include an evaluation of the division's core business processes
2555 and make recommendations for improvements, including statutory
2556 changes. After December 31, 2024, the division must include a
2557 list of the associations that have completed the structural
2558 integrity reserve study required under s. 718.112(2)(g). The
2559 report shall be submitted by September 30 following the end of
2560 the fiscal year.

2561 (2)

2562 (d) Each condominium association must create and maintain
2563 an online account with the division, as required in subsection



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2564 (3).

2565 (3) On or before October 1, 2025, all condominium
2566 associations must create and maintain an online account with the
2567 division and provide information requested by the division in an
2568 electronic format determined by the division. The division shall
2569 adopt rules to implement this subsection. The division may
2570 require condominium associations to provide such information no
2571 more than once per year, except that the division may require
2572 condominium associations to update the contact information in
2573 paragraph (a) within 30 days after any change. The division
2574 shall provide a condominium association at least a 45-day notice
2575 of any requirement to provide any information after the
2576 condominium association initially creates an online account. The
2577 information that the division may require from condominium
2578 associations is limited to:

2579 (a) Contact information for the association that includes:

- 2580 1. Name of the association.
2581 2. The physical address of the condominium property.
2582 3. Mailing address and county of the association.
2583 4. E-mail address and telephone number for the association.
2584 5. Name and board title for each member of the

2585 association's board.

2586 6. Name and contact information of the association's
2587 community association manager or community association
2588 management firm, if applicable.

2589 7. The hyperlink or website address of the association's
2590 website, if applicable.

2591 (b) Total number of buildings and for each building in the
2592 association:



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2593 1. Total number of stories, including both habitable and
2594 uninhabitable stories.

2595 2. Total number of units.

2596 3. Age of each building based on the certificate of
2597 occupancy.

2598 4. Any construction commenced within the common elements
2599 within the calendar year.

2600 (c) The association's assessments, including the:

2601 1. Amount of assessment or special assessment by unit type,
2602 including reserves.

2603 2. Purpose of the assessment or special assessment.

2604 3. Name of the financial institution or institutions with
2605 which the association maintains accounts.

2606 (d) A copy of any structural integrity reserve study and
2607 any associated materials requested by the department within 5
2608 business days after such request, in a manner prescribed by the
2609 department.

2610 ~~(a) On or before January 1, 2023, condominium associations~~
2611 ~~existing on or before July 1, 2022, must provide the following~~
2612 ~~information to the division in writing, by e-mail, United States~~
2613 ~~Postal Service, commercial delivery service, or hand delivery,~~
2614 ~~at a physical address or e-mail address provided by the division~~
2615 ~~and on a form posted on the division's website:~~

2616 ~~1. The number of buildings on the condominium property that~~
2617 ~~are three stories or higher in height.~~

2618 ~~2. The total number of units in all such buildings.~~

2619 ~~3. The addresses of all such buildings.~~

2620 ~~4. The counties in which all such buildings are located.~~

2621 ~~(b) The division must compile a list of the number of~~



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2622 ~~buildings on condominium property that are three stories or~~
2623 ~~higher in height, which is searchable by county, and must post~~
2624 ~~the list on the division's website. This list must include all~~
2625 ~~of the following information:~~

2626 ~~1. The name of each association with buildings on the~~
2627 ~~condominium property that are three stories or higher in height.~~

2628 ~~2. The number of such buildings on each association's~~
2629 ~~property.~~

2630 ~~3. The addresses of all such buildings.~~

2631 ~~4. The counties in which all such buildings are located.~~

2632 ~~(c) An association must provide an update in writing to the~~
2633 ~~division if there are any changes to the information in the list~~
2634 ~~under paragraph (b) within 6 months after the change.~~

2635 Section 17. Paragraph (d) of subsection (1) and paragraphs
2636 (d) and (e) of subsection (2) of section 718.503, Florida
2637 Statutes, are amended to read:

2638 718.503 Developer disclosure prior to sale; nondeveloper
2639 unit owner disclosure prior to sale; voidability.—

2640 (1) DEVELOPER DISCLOSURE.—

2641 (d) *Milestone inspection, turnover inspection report, or*
2642 *structural integrity reserve study.*—If the association is
2643 required to have completed a milestone inspection as described
2644 in s. 553.899, a turnover inspection report for a turnover
2645 inspection performed on or after July 1, 2023, or a structural
2646 integrity reserve study, and the association has not completed
2647 the milestone inspection, the turnover inspection report, or the
2648 structural integrity reserve study, each contract entered into
2649 after December 31, 2024, for the sale of a residential unit
2650 shall contain in conspicuous type a statement indicating that



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2651 the association is required to have a milestone inspection, a
2652 turnover inspection report, or a structural integrity reserve
2653 study and has not completed such inspection, report, or study,
2654 as appropriate. If the association is not required to have a
2655 milestone inspection as described in s. 553.899 or a structural
2656 integrity reserve study, each contract entered into after
2657 December 31, 2024, for the sale of a residential unit shall
2658 contain in conspicuous type a statement indicating that the
2659 association is not required to have a milestone inspection or a
2660 structural integrity reserve study, as appropriate. If the
2661 association has completed a milestone inspection as described in
2662 s. 553.899, a turnover inspection report for a turnover
2663 inspection performed on or after July 1, 2023, or a structural
2664 integrity reserve study, each contract entered into after
2665 December 31, 2024, for the sale of a residential unit shall
2666 contain in conspicuous type:

2667 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
2668 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
2669 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
2670 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
2671 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
2672 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
2673 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
2674 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
2675 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15
2676 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE
2677 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2678 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
2679 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO



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2680 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
2681 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
2682 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
2683 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
2684 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
2685 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
2686 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
2687 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
2688 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
2689 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED
2690 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
2691 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15
2692 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
2693 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED
2694 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN
2695 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER
2696 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q),
2697 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
2698 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS
2699 718.103(26) AND 718.112(2) (g), FLORIDA STATUTES, IF REQUESTED IN
2700 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT
2701 CLOSING.

2702
2703 A contract that does not conform to the requirements of this
2704 paragraph is voidable at the option of the purchaser before
2705 ~~prior to~~ closing.

2706 (2) NONDEVELOPER DISCLOSURE.—

2707 (d) Each contract entered into after July 1, 1992, for the
2708 resale of a residential unit must ~~shall~~ contain in conspicuous



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2709 type either:

2710 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
2711 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE DECLARATION
2712 OF CONDOMINIUM, ARTICLES OF INCORPORATION OF THE ASSOCIATION,
2713 BYLAWS AND RULES OF THE ASSOCIATION, A COPY OF THE MOST RECENT
2714 ANNUAL FINANCIAL STATEMENT AND ANNUAL BUDGET, AND FREQUENTLY
2715 ASKED QUESTIONS AND ANSWERS DOCUMENT MORE THAN 7 ~~3~~ DAYS,
2716 EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE ~~PRIOR~~
2717 ~~TO~~ EXECUTION OF THIS CONTRACT; or

2718 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
2719 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
2720 CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
2721 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
2722 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE DECLARATION
2723 OF CONDOMINIUM, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF
2724 THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL
2725 STATEMENT AND ANNUAL BUDGET, AND FREQUENTLY ASKED QUESTIONS AND
2726 ANSWERS DOCUMENT IF SO REQUESTED IN WRITING. ANY PURPORTED
2727 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
2728 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 7
2729 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
2730 THE BUYER RECEIVES THE DECLARATION, ARTICLES OF INCORPORATION,
2731 BYLAWS AND RULES OF THE ASSOCIATION, AND A COPY OF THE MOST
2732 RECENT YEAR-END FINANCIAL STATEMENT AND ANNUAL BUDGET
2733 ~~INFORMATION~~ AND FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT
2734 IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT
2735 SHALL TERMINATE AT CLOSING.

2736
2737 A contract that does not conform to the requirements of this



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2738 paragraph is voidable at the option of the purchaser before
2739 ~~prior to~~ closing.

2740 (e) If the association is required to have completed a
2741 milestone inspection as described in s. 553.899, a turnover
2742 inspection report for a turnover inspection performed on or
2743 after July 1, 2023, or a structural integrity reserve study, and
2744 the association has not completed the milestone inspection, the
2745 turnover inspection report, or the structural integrity reserve
2746 study, each contract entered into after December 31, 2024, for
2747 the sale of a residential unit shall contain in conspicuous type
2748 a statement indicating that the association is required to have
2749 a milestone inspection, a turnover inspection report, or a
2750 structural integrity reserve study and has not completed such
2751 inspection, report, or study, as appropriate. If the association
2752 is not required to have a milestone inspection as described in
2753 s. 553.899 or a structural integrity reserve study, each
2754 contract entered into after December 31, 2024, for the sale of a
2755 residential unit shall contain in conspicuous type a statement
2756 indicating that the association is not required to have a
2757 milestone inspection or a structural integrity reserve study, as
2758 appropriate. If the association has completed a milestone
2759 inspection as described in s. 553.899, a turnover inspection
2760 report for a turnover inspection performed on or after July 1,
2761 2023, or a structural integrity reserve study, each contract
2762 entered into after December 31, 2024, for the resale of a
2763 residential unit shall contain in conspicuous type:

2764 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
2765 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
2766 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED



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2767 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
2768 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
2769 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
2770 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
2771 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
2772 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 7 ~~3~~
2773 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE
2774 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2775 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
2776 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
2777 CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
2778 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
2779 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
2780 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
2781 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
2782 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
2783 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
2784 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
2785 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND
2786 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED
2787 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
2788 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 7
2789 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
2790 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED
2791 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN
2792 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER
2793 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q),
2794 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
2795 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS



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2796 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN
2797 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT
2798 CLOSING.

2799
2800 A contract that does not conform to the requirements of this
2801 paragraph is voidable at the option of the purchaser before
2802 ~~prior to~~ closing.

2803 Section 18. Section 8 of chapter 2024-244, Laws of Florida,
2804 is amended to read:

2805 Section 8. Effective January 1, 2026, paragraph (g) of
2806 subsection (12) of section 718.111, Florida Statutes, as amended
2807 by this act, is amended to read:

2808 718.111 The association.—

2809 (12) OFFICIAL RECORDS.—

2810 (g)1. An association managing a condominium with 25 or more
2811 units which does not contain timeshare units shall post digital
2812 copies of the documents specified in subparagraph 2. on its
2813 website or make such documents available through an application
2814 that can be downloaded on a mobile device. Unless a shorter
2815 period is otherwise required, a document must be made available
2816 on the association's website or made available for download
2817 through an application on a mobile device within 30 days after
2818 the association receives or creates an official record specified
2819 in subparagraph 2.

2820 a. The association's website or application must be:

2821 (I) An independent website, application, or web portal
2822 wholly owned and operated by the association; or

2823 (II) A website, application, or web portal operated by a
2824 third-party provider with whom the association owns, leases,



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2825 rents, or otherwise obtains the right to operate a web page,
2826 subpage, web portal, collection of subpages or web portals, or
2827 an application which is dedicated to the association's
2828 activities and on which required notices, records, and documents
2829 may be posted or made available by the association.

2830 b. The association's website or application must be
2831 accessible through the Internet and must contain a subpage, web
2832 portal, or other protected electronic location that is
2833 inaccessible to the general public and accessible only to unit
2834 owners and employees of the association.

2835 c. Upon a unit owner's written request, the association
2836 must provide the unit owner with a username and password and
2837 access to the protected sections of the association's website or
2838 application which contain any notices, records, or documents
2839 that must be electronically provided.

2840 2. A current copy of the following documents must be posted
2841 in digital format on the association's website or application:

2842 a. The recorded declaration of condominium of each
2843 condominium operated by the association and each amendment to
2844 each declaration.

2845 b. The recorded bylaws of the association and each
2846 amendment to the bylaws.

2847 c. The articles of incorporation of the association, or
2848 other documents creating the association, and each amendment to
2849 the articles of incorporation or other documents. The copy
2850 posted pursuant to this sub-subparagraph must be a copy of the
2851 articles of incorporation filed with the Department of State.

2852 d. The rules of the association.

2853 e. The approved minutes of all board of administration



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2854 meetings over the preceding 12 months.

2855 f. The video recording or a hyperlink to the video
2856 recording for all meetings of the association, the board of
2857 administration, any committee, and the unit owners which are
2858 conducted by video conference over the preceding 12 months.

2859 g. A list of all executory contracts or documents to which
2860 the association is a party or under which the association or the
2861 unit owners have an obligation or responsibility and, after
2862 bidding for the related materials, equipment, or services has
2863 closed, a list of bids received by the association within the
2864 past year. Summaries of bids for materials, equipment, or
2865 services which exceed \$500 must be maintained on the website or
2866 application for 1 year. In lieu of summaries, complete copies of
2867 the bids may be posted.

2868 ~~h.f.~~ The annual budget required by s. 718.112(2)(f) and any
2869 proposed budget to be considered at the annual meeting.

2870 ~~i.g.~~ The financial report required by subsection (13) and
2871 any monthly income or expense statement to be considered at a
2872 meeting.

2873 ~~j.h.~~ The certification of each director required by s.
2874 718.112(2)(d)4.b.

2875 ~~k.i.~~ All contracts or transactions between the association
2876 and any director, officer, corporation, firm, or association
2877 that is not an affiliated condominium association or any other
2878 entity in which an association director is also a director or
2879 officer and financially interested.

2880 ~~l.j.~~ Any contract or document regarding a conflict of
2881 interest or possible conflict of interest as provided in ss.
2882 468.4335, 468.436(2)(b)6., and 718.3027(3).



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2883 ~~m.k.~~ The notice of any unit owner meeting and the agenda
2884 for the meeting, as required by s. 718.112(2)(d)3., no later
2885 than 14 days before the meeting. The notice must be posted in
2886 plain view on the front page of the website or application, or
2887 on a separate subpage of the website or application labeled
2888 "Notices" which is conspicuously visible and linked from the
2889 front page. The association must also post on its website or
2890 application any document to be considered and voted on by the
2891 owners during the meeting or any document listed on the agenda
2892 at least 7 days before the meeting at which the document or the
2893 information within the document will be considered.

2894 ~~n.l.~~ Notice of any board meeting, the agenda, and any other
2895 document required for the meeting as required by s.
2896 718.112(2)(c), which must be posted no later than the date
2897 required for notice under s. 718.112(2)(c).

2898 ~~o.m.~~ The inspection reports described in ss. 553.899 and
2899 718.301(4)(p) and any other inspection report relating to a
2900 structural or life safety inspection of condominium property.

2901 ~~p.n.~~ The association's most recent structural integrity
2902 reserve study, if applicable.

2903 ~~q.e.~~ Copies of all building permits issued for ongoing or
2904 planned construction.

2905 r. A copy of all affidavits required by this chapter.

2906 3. The association shall ensure that the information and
2907 records described in paragraph (c), which are not allowed to be
2908 accessible to unit owners, are not posted on the association's
2909 website or application. If protected information or information
2910 restricted from being accessible to unit owners is included in
2911 documents that are required to be posted on the association's



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2912 website or application, the association shall ensure the
2913 information is redacted before posting the documents.
2914 Notwithstanding the foregoing, the association or its agent is
2915 not liable for disclosing information that is protected or
2916 restricted under this paragraph unless such disclosure was made
2917 with a knowing or intentional disregard of the protected or
2918 restricted nature of such information.

2919 4. The failure of the association to post information
2920 required under subparagraph 2. is not in and of itself
2921 sufficient to invalidate any action or decision of the
2922 association's board or its committees.

2923 Section 19. Section 31 of chapter 2024-244, Laws of
2924 Florida, is amended to read:

2925 Section 31. The amendments made to ss. 718.103(14) and
2926 718.202(3) and 718.407(1), (2), and (6), Florida Statutes, as
2927 created by this act, may not ~~are intended to clarify existing~~
2928 ~~law and shall~~ apply retroactively and shall only apply to
2929 condominiums for which declarations were initially recorded on
2930 or after October 1, 2024. ~~However, such amendments do not revive~~
2931 ~~or reinstate any right or interest that has been fully and~~
2932 ~~finally adjudicated as invalid before October 1, 2024.~~

2933 Section 20. Subsection (13) is added to section 719.104,
2934 Florida Statutes, to read:

2935 719.104 Cooperatives; access to units; records; financial
2936 reports; assessments; purchase of leases.-

2937 (13) INVESTMENT OF ASSOCIATION FUNDS.-

2938 (a) A board shall, in fulfilling its duty to manage
2939 operating and reserve funds of its association, use best efforts
2940 to make prudent investment decisions that carefully consider



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2941 risk and return in an effort to maximize returns on invested
2942 funds.

2943 (b) An association may invest reserve funds in one or any
2944 combination of certificates of deposit or in depository accounts
2945 at a community bank, savings bank, commercial bank, savings and
2946 loan association, or credit union without a vote of the unit
2947 owners.

2948 Section 21. Paragraphs (j) and (k) of subsection (1) of
2949 section 719.106, Florida Statutes, are amended to read:

2950 719.106 Bylaws; cooperative ownership.—

2951 (1) MANDATORY PROVISIONS.—The bylaws or other cooperative
2952 documents shall provide for the following, and if they do not,
2953 they shall be deemed to include the following:

2954 (j) *Annual budget.*—

2955 1. The proposed annual budget of common expenses must be
2956 detailed and must show the amounts budgeted by accounts and
2957 expense classifications, including, if applicable, but not
2958 limited to, those expenses listed in s. 719.504(20). The board
2959 of administration shall adopt the annual budget at least 14 days
2960 before the start of the association's fiscal year. In the event
2961 that the board fails to timely adopt the annual budget a second
2962 time, it is deemed a minor violation and the prior year's budget
2963 shall continue in effect until a new budget is adopted.

2964 2.a. In addition to annual operating expenses, the budget
2965 must include reserve accounts for capital expenditures and
2966 deferred maintenance. These accounts must include, but not be
2967 limited to, roof replacement, building painting, and pavement
2968 resurfacing, regardless of the amount of deferred maintenance
2969 expense or replacement cost, and for any other items for which



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2970 the deferred maintenance expense or replacement cost exceeds
2971 \$25,000 or the inflation-adjusted amount determined by the
2972 division under subparagraph 6., whichever amount is greater
2973 \$10,000. The amount to be reserved must be computed by means of
2974 a formula which is based upon estimated remaining useful life
2975 and estimated replacement cost or deferred maintenance expense
2976 of the reserve item. In a budget adopted by an association that
2977 is required to obtain a structural integrity reserve study,
2978 reserves must be maintained for the items identified in
2979 paragraph (k) for which the association is responsible pursuant
2980 to the declaration, and the reserve amount for such items must
2981 be based on the findings and recommendations of the
2982 association's most recent structural integrity reserve study.
2983 With respect to items for which an estimate of useful life is
2984 not readily ascertainable or with an estimated remaining useful
2985 life of greater than 25 years, an association is not required to
2986 reserve replacement costs for such items, but an association
2987 must reserve the amount of deferred maintenance expense, if any,
2988 which is recommended by the structural integrity reserve study
2989 for such items. The association may adjust replacement reserve
2990 assessments annually to take into account an inflation
2991 adjustment and any changes in estimates or extension of the
2992 useful life of a reserve item caused by deferred maintenance.

2993 b. The members of a unit-owner-controlled association may
2994 determine, by a majority vote of the total voting interests of
2995 the association, for a fiscal year to provide no reserves or
2996 reserves less adequate than required by this subsection. Before
2997 turnover of control of an association by a developer to unit
2998 owners other than a developer under s. 719.301, the developer-



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2999 controlled association may not vote to waive the reserves or
3000 reduce funding of the reserves.

3001 c. For a budget adopted on or after December 31, 2024, a
3002 unit-owner-controlled association that must obtain a structural
3003 integrity reserve study may not determine to provide no reserves
3004 or reserves less adequate than required by this paragraph for
3005 items listed in paragraph (k). If a meeting of the unit owners
3006 has been called to determine to provide no reserves, or reserves
3007 less adequate than required, and such result is not attained or
3008 a quorum is not attained, the reserves as included in the budget
3009 shall go into effect.

3010 d. If the local building official as defined in s. 468.603,
3011 determines that the entire cooperative building is uninhabitable
3012 due to a natural emergency as defined in s. 252.34, the board
3013 may pause the contribution to its reserves or reduce reserve
3014 funding until the local building official determines that the
3015 cooperative building is habitable. Any reserve account funds
3016 held by the association may be expended, pursuant to the board's
3017 determination, to make the cooperative building and its
3018 structures habitable. Upon the determination by the local
3019 building official that the cooperative building is habitable,
3020 the association must immediately resume contributing funds to
3021 its reserves.

3022 3.a.(I) Reserves for the items identified in paragraph (g)
3023 may be funded by regular assessments, special assessments, lines
3024 of credit, or loans. A special assessment, a line of credit, or
3025 a loan under this sub-subparagraph requires the approval of a
3026 majority vote of the total voting interests of the association.

3027 (II) A unit-owner-controlled association that is required



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3028 to have a structural reserve study may secure a line of credit
3029 or a loan to fund capital expenses required by a milestone
3030 inspection under s. 553.899 or a structural integrity reserve
3031 study. The lines of credit or loans must be sufficient to fund
3032 the cumulative amount of any previously waived or unfunded
3033 portion of the reserve funding amount required by this paragraph
3034 and the most recent structural integrity reserve study. Funding
3035 from the line of credit or loans must be immediately available
3036 for access by the board to fund required repair, maintenance, or
3037 replacement expenses without further approval by the members of
3038 the association. A special assessment, a line of credit, or a
3039 loan secured under this sub-subparagraph and related details
3040 must be included in the annual financial statement required
3041 under s. 719.104(4) to be delivered to unit owners and required
3042 under s. 718.503 to be provided to prospective purchasers of a
3043 unit.

3044 b. For a budget adopted on or before December 31, 2028, if
3045 the association has completed a milestone inspection pursuant to
3046 s. 553.899 within the previous 2 calendar years, the board, upon
3047 the approval of a majority of the total voting interests of the
3048 association, may temporarily pause, for a period of no more than
3049 two consecutive annual budgets, reserve fund contributions or
3050 reduce the amount of reserve funding for the purpose of funding
3051 repairs recommended by the milestone inspection. This sub-
3052 subparagraph does not apply to a developer-controlled
3053 association and an association in which the nondeveloper unit
3054 owners have been in control for less than 1 year. An association
3055 that has paused reserve contributions under this sub-
3056 subparagraph must have a structural integrity reserve study



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3057 performed before the continuation of reserve contributions in
3058 order to determine the association's reserve funding needs and
3059 to recommend a reserve funding plan.

3060 4.3. Reserve funds and any interest accruing thereon shall
3061 remain in the reserve account or accounts, and shall be used
3062 only for authorized reserve expenditures unless their use for
3063 other purposes is approved in advance by a vote of the majority
3064 of the total voting interests of the association. Before
3065 turnover of control of an association by a developer to unit
3066 owners other than the developer under s. 719.301, the developer
3067 may not vote to use reserves for purposes other than that for
3068 which they were intended. For a budget adopted on or after
3069 December 31, 2024, members of a unit-owner-controlled
3070 association that must obtain a structural integrity reserve
3071 study may not vote to use reserve funds, or any interest
3072 accruing thereon, for purposes other than the replacement or
3073 deferred maintenance costs of the components listed in paragraph
3074 (k).

3075 5. An association's reserve accounts may be pooled for two
3076 or more required components. Reserve funding for components
3077 identified in paragraph (g) may only be pooled with other
3078 components identified in paragraph (g). The reserve funding
3079 indicated in the proposed annual budget must be sufficient to
3080 ensure that available funds meet or exceed projected expenses
3081 for all components in the reserve pool based on the reserve
3082 funding plan or schedule of the most recent structural integrity
3083 reserve study. A vote of the members is not required for the
3084 board to change the accounting method for reserves to a pooling
3085 accounting method or a straight-line accounting method.



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3086 6. The division shall annually adjust for inflation, based
3087 on the Consumer Price Index for All Urban Consumers released in
3088 January of each year, the minimum \$25,000 threshold amount for
3089 required reserves. By February 1, 2026, and annually thereafter,
3090 the division must conspicuously post on its website the
3091 inflation-adjusted minimum threshold amount for required
3092 reserves.

3093 (k) *Structural integrity reserve study.*—

3094 1. A residential cooperative association must have a
3095 structural integrity reserve study completed at least every 10
3096 years for each building on the cooperative property that is
3097 three stories or higher in height, as determined by the Florida
3098 Building Code, that includes, at a minimum, a study of the
3099 following items as related to the structural integrity and
3100 safety of the building:

3101 a. Roof.

3102 b. Structure, including load-bearing walls and other
3103 primary structural members and primary structural systems as
3104 those terms are defined in s. 627.706.

3105 c. Fireproofing and fire protection systems.

3106 d. Plumbing.

3107 e. Electrical systems.

3108 f. Waterproofing and exterior painting.

3109 g. Windows and exterior doors.

3110 h. Any other item that has a deferred maintenance expense
3111 or replacement cost that exceeds \$25,000 or the inflation-

3112 adjusted amount determined by the division under subparagraph
3113 (j)6., whichever is greater, ~~\$10,000~~ and the failure to replace
3114 or maintain such item negatively affects the items listed in



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3115 sub-subparagraphs a.-g., as determined by the visual inspection
3116 portion of the structural integrity reserve study.

3117 2. A structural integrity reserve study is based on a
3118 visual inspection of the cooperative property.

3119 3.a. A structural integrity reserve study ~~may be performed~~
3120 ~~by any person qualified to perform such study. However,~~
3121 including the visual inspection portion of the structural
3122 integrity reserve study, must be performed or verified by an
3123 engineer licensed under chapter 471, an architect licensed under
3124 chapter 481, or a person certified as a reserve specialist or
3125 professional reserve analyst by the Community Associations
3126 Institute or the Association of Professional Reserve Analysts.

3127 b. Any design professional as defined in s. 558.002(7) or
3128 contractor licensed under chapter 489 who bids to perform a
3129 structural integrity reserve study must disclose in writing to
3130 the association his or her intent to bid on any services related
3131 to any maintenance, repair, or replacement that may be
3132 recommended by the structural integrity reserve study. Any
3133 design professional as defined in s. 558.002 or contractor
3134 licensed under chapter 489 who submits a bid to the association
3135 for performing any services recommended by the structural
3136 integrity reserve study may not have an interest, directly or
3137 indirectly, in the firm or entity providing the association's
3138 structural integrity reserve study or be a relative of any
3139 person having a direct or indirect interest in such firm, unless
3140 such relationship is disclosed to the association in writing. As
3141 used in this section, the term "relative" means a relative
3142 within the third degree of consanguinity by blood or marriage. A
3143 contract for services is voidable and terminates upon the



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3144 association filing a written notice terminating the contract if
3145 the design professional or licensed contractor failed to provide
3146 the written disclosure of the relationship required under this
3147 paragraph. A design professional or licensed contractor may be
3148 subject to discipline under the applicable practice act for his
3149 or her profession for failure to provide the written disclosure
3150 of the relationship required under this subparagraph.

3151 4.a.3. At a minimum, a structural integrity reserve study
3152 must identify each item of the cooperative property being
3153 visually inspected, state the estimated remaining useful life
3154 and the estimated replacement cost or deferred maintenance
3155 expense of each item of the cooperative property being visually
3156 inspected, and provide a reserve funding schedule with a
3157 recommended annual reserve amount that achieves the estimated
3158 replacement cost or deferred maintenance expense of each item of
3159 cooperative property being visually inspected by the end of the
3160 estimated remaining useful life of the item. The structural
3161 integrity reserve study may recommend that reserves do not need
3162 to be maintained for any item for which an estimate of useful
3163 life and an estimate of replacement cost cannot be determined,
3164 or the study may recommend a deferred maintenance expense amount
3165 for such item. At a minimum, the structural integrity reserve
3166 study must include a recommendation for a reserve funding
3167 schedule based on a baseline funding plan that provides a
3168 reserve funding goal in which the reserve funding for each
3169 budget year is sufficient to maintain the reserve cash balance
3170 above zero. The study may recommend other types of reserve
3171 funding schedules, provided that each recommended schedule is
3172 sufficient to meet the association's maintenance obligation.



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3173 b. The structural integrity reserve study may recommend
3174 that reserves for replacement costs do not need to be maintained
3175 for any item with an estimated remaining useful life of greater
3176 than 25 years, but the study may recommend a deferred
3177 maintenance expense amount for such item. If the structural
3178 integrity reserve study recommends reserves for any item for
3179 which reserves are not required under this paragraph, the amount
3180 of the recommended reserves for such item must be separately
3181 identified in the structural integrity reserve study as an item
3182 for which reserves are not required under this paragraph.

3183 c. The structural integrity reserve study must take into
3184 consideration the funding method or methods used by the
3185 association to fund its maintenance and reserve funding
3186 obligations through regular assessments, special assessments,
3187 lines of credit, or loans. If the structural integrity reserve
3188 study is performed before the association has approved a special
3189 assessment or secured a line of credit or a loan, the structural
3190 integrity reserve study must be updated to reflect the funding
3191 method selected by the association and its effect on the reserve
3192 funding schedule, including any anticipated change in the amount
3193 of regular assessments. The structural integrity reserve study
3194 may be updated to reflect any changes to the useful life of the
3195 reserve items after such items are repaired or replaced, and the
3196 effect such repair or replacement will have on the reserve
3197 funding schedule. The association must obtain an updated
3198 structural integrity reserve study before adopting any budget in
3199 which the reserve funding from regular assessments, special
3200 assessments, lines of credit, or loans do not align with the
3201 funding plan from the most recent version of the structural



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3202 integrity reserve study.

3203 ~~5.4.~~ This paragraph does not apply to buildings less than
3204 three stories in height; single-family, two-family, ~~or~~ three-
3205 family, or four-family dwellings with three or fewer habitable
3206 stories above ground; any portion or component of a building
3207 that has not been submitted to the cooperative form of
3208 ownership; or any portion or component of a building that is
3209 maintained by a party other than the association.

3210 ~~6.5.~~ Before a developer turns over control of an
3211 association to unit owners other than the developer, the
3212 developer must have a turnover inspection report in compliance
3213 with s. 719.301(4) (p) and (q) for each building on the
3214 cooperative property that is three stories or higher in height.

3215 ~~7.6.~~ Associations existing on or before July 1, 2022, which
3216 are controlled by unit owners other than the developer, must
3217 have a structural integrity reserve study completed by December
3218 31, 2024, for each building on the cooperative property that is
3219 three stories or higher in height. An association that is
3220 required to complete a milestone inspection on or before
3221 December 31, 2026, in accordance with s. 553.899 may complete
3222 the structural integrity reserve study simultaneously with the
3223 milestone inspection. In no event may the structural integrity
3224 reserve study be completed after December 31, 2026.

3225 ~~8.7.~~ If the milestone inspection required by s. 553.899, or
3226 an inspection completed for a similar local requirement, was
3227 performed within the past 5 years and meets the requirements of
3228 this paragraph, such inspection may be used in place of the
3229 visual inspection portion of the structural integrity reserve
3230 study.



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3231 9. If the association completes a milestone inspection
3232 required by s. 553.899, or an inspection completed for a similar
3233 local requirement, the association may delay performance of a
3234 required structural integrity reserve study for no more than the
3235 2 consecutive budget years immediately following the milestone
3236 inspection in order to allow the association to focus its
3237 financial resources on completing the repair and maintenance
3238 recommendations of the milestone inspection.

3239 ~~10.8.~~ If the officers or directors of an association
3240 willfully and knowingly fail to complete a structural integrity
3241 reserve study pursuant to this paragraph, such failure is a
3242 breach of an officer's and director's fiduciary relationship to
3243 the unit owners under s. 719.104(9). An officer or a director of
3244 the association must sign an affidavit acknowledging receipt of
3245 the completed structural integrity reserve study.

3246 ~~11.9.~~ Within 45 days after receiving the structural
3247 integrity reserve study, the association must distribute a copy
3248 of the study to each unit owner or deliver to each unit owner a
3249 notice that the completed study is available for inspection and
3250 copying upon a written request. Distribution of a copy of the
3251 study or notice must be made by United States mail or personal
3252 delivery at the mailing address, property address, or any other
3253 address of the owner provided to fulfill the association's
3254 notice requirements under this chapter, or by electronic
3255 transmission to the e-mail address or facsimile number provided
3256 to fulfill the association's notice requirements to unit owners
3257 who previously consented to receive notice by electronic
3258 transmission.

3259 ~~12.10.~~ Within 45 days after receiving the structural



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3260 integrity reserve study, the association must provide the
3261 division with a statement indicating that the study was
3262 completed and that the association provided or made available
3263 such study to each unit owner in accordance with this section.
3264 Such statement must be provided to the division in the manner
3265 established by the division using a form posted on the
3266 division's website.

3267 13. The division shall adopt by rule the form for the
3268 structural integrity reserve study in coordination with the
3269 Florida Building Commission.

3270 Section 22. Paragraph (i) of subsection (1) of section
3271 719.128, Florida Statutes, is amended to read:

3272 719.128 Association emergency powers.—

3273 (1) To the extent allowed by law, unless specifically
3274 prohibited by the cooperative documents, and consistent with s.
3275 617.0830, the board of administration, in response to damage or
3276 injury caused by or anticipated in connection with an emergency,
3277 as defined in s. 252.34(4), for which a state of emergency is
3278 declared pursuant to s. 252.36 in the area encompassed by the
3279 cooperative, may exercise the following powers:

3280 (i) Require the evacuation of the cooperative property in
3281 the event of an a-mandatory evacuation order in the area in
3282 which where the cooperative is located or prohibit or restrict
3283 access to the cooperative property in the event of a public
3284 health threat. If a unit owner or other occupant of a
3285 cooperative fails or refuses to evacuate the cooperative
3286 property for which the board has required evacuation, the
3287 association is immune from liability for injury to persons or
3288 property arising from such failure or refusal.



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3289 Section 23. Subsection (3) of section 719.501, Florida
3290 Statutes, is amended, paragraph (c) is added to subsection (2)
3291 of that section, and subsection (1) of that section is
3292 reenacted, to read:

3293 719.501 Powers and duties of Division of Florida
3294 Condominiums, Timeshares, and Mobile Homes.—

3295 (1) The Division of Florida Condominiums, Timeshares, and
3296 Mobile Homes of the Department of Business and Professional
3297 Regulation, referred to as the "division" in this part, in
3298 addition to other powers and duties prescribed by chapter 718,
3299 has the power to enforce and ensure compliance with this chapter
3300 and adopted rules relating to the development, construction,
3301 sale, lease, ownership, operation, and management of residential
3302 cooperative units; complaints related to the procedural
3303 completion of the structural integrity reserve studies under s.
3304 719.106(1)(k); and complaints related to the procedural
3305 completion of milestone inspections under s. 553.899. In
3306 performing its duties, the division shall have the following
3307 powers and duties:

3308 (a) The division may make necessary public or private
3309 investigations within or outside this state to determine whether
3310 any person has violated this chapter or any rule or order
3311 hereunder, to aid in the enforcement of this chapter, or to aid
3312 in the adoption of rules or forms hereunder.

3313 (b) The division may require or permit any person to file a
3314 statement in writing, under oath or otherwise, as the division
3315 determines, as to the facts and circumstances concerning a
3316 matter to be investigated.

3317 (c) For the purpose of any investigation under this



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3318 chapter, the division director or any officer or employee
3319 designated by the division director may administer oaths or
3320 affirmations, subpoena witnesses and compel their attendance,
3321 take evidence, and require the production of any matter which is
3322 relevant to the investigation, including the existence,
3323 description, nature, custody, condition, and location of any
3324 books, documents, or other tangible things and the identity and
3325 location of persons having knowledge of relevant facts or any
3326 other matter reasonably calculated to lead to the discovery of
3327 material evidence. Upon failure by a person to obey a subpoena
3328 or to answer questions propounded by the investigating officer
3329 and upon reasonable notice to all persons affected thereby, the
3330 division may apply to the circuit court for an order compelling
3331 compliance.

3332 (d) Notwithstanding any remedies available to unit owners
3333 and associations, if the division has reasonable cause to
3334 believe that a violation of any provision of this chapter or
3335 related rule has occurred, the division may institute
3336 enforcement proceedings in its own name against a developer,
3337 association, officer, or member of the board, or its assignees
3338 or agents, as follows:

3339 1. The division may permit a person whose conduct or
3340 actions may be under investigation to waive formal proceedings
3341 and enter into a consent proceeding whereby orders, rules, or
3342 letters of censure or warning, whether formal or informal, may
3343 be entered against the person.

3344 2. The division may issue an order requiring the developer,
3345 association, officer, or member of the board, or its assignees
3346 or agents, to cease and desist from the unlawful practice and



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3347 take such affirmative action as in the judgment of the division
3348 will carry out the purposes of this chapter. Such affirmative
3349 action may include, but is not limited to, an order requiring a
3350 developer to pay moneys determined to be owed to a condominium
3351 association.

3352 3. The division may bring an action in circuit court on
3353 behalf of a class of unit owners, lessees, or purchasers for
3354 declaratory relief, injunctive relief, or restitution.

3355 4. The division may impose a civil penalty against a
3356 developer or association, or its assignees or agents, for any
3357 violation of this chapter or related rule. The division may
3358 impose a civil penalty individually against any officer or board
3359 member who willfully and knowingly violates a provision of this
3360 chapter, a rule adopted pursuant to this chapter, or a final
3361 order of the division. The term "willfully and knowingly" means
3362 that the division informed the officer or board member that his
3363 or her action or intended action violates this chapter, a rule
3364 adopted under this chapter, or a final order of the division,
3365 and that the officer or board member refused to comply with the
3366 requirements of this chapter, a rule adopted under this chapter,
3367 or a final order of the division. The division, prior to
3368 initiating formal agency action under chapter 120, shall afford
3369 the officer or board member an opportunity to voluntarily comply
3370 with this chapter, a rule adopted under this chapter, or a final
3371 order of the division. An officer or board member who complies
3372 within 10 days is not subject to a civil penalty. A penalty may
3373 be imposed on the basis of each day of continuing violation, but
3374 in no event shall the penalty for any offense exceed \$5,000. The
3375 division shall adopt, by rule, penalty guidelines applicable to



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3376 possible violations or to categories of violations of this
3377 chapter or rules adopted by the division. The guidelines must
3378 specify a meaningful range of civil penalties for each such
3379 violation of the statute and rules and must be based upon the
3380 harm caused by the violation, upon the repetition of the
3381 violation, and upon such other factors deemed relevant by the
3382 division. For example, the division may consider whether the
3383 violations were committed by a developer or owner-controlled
3384 association, the size of the association, and other factors. The
3385 guidelines must designate the possible mitigating or aggravating
3386 circumstances that justify a departure from the range of
3387 penalties provided by the rules. It is the legislative intent
3388 that minor violations be distinguished from those which endanger
3389 the health, safety, or welfare of the cooperative residents or
3390 other persons and that such guidelines provide reasonable and
3391 meaningful notice to the public of likely penalties that may be
3392 imposed for proscribed conduct. This subsection does not limit
3393 the ability of the division to informally dispose of
3394 administrative actions or complaints by stipulation, agreed
3395 settlement, or consent order. All amounts collected shall be
3396 deposited with the Chief Financial Officer to the credit of the
3397 Division of Florida Condominiums, Timeshares, and Mobile Homes
3398 Trust Fund. If a developer fails to pay the civil penalty, the
3399 division shall thereupon issue an order directing that such
3400 developer cease and desist from further operation until such
3401 time as the civil penalty is paid or may pursue enforcement of
3402 the penalty in a court of competent jurisdiction. If an
3403 association fails to pay the civil penalty, the division shall
3404 thereupon pursue enforcement in a court of competent



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3405 jurisdiction, and the order imposing the civil penalty or the
3406 cease and desist order shall not become effective until 20 days
3407 after the date of such order. Any action commenced by the
3408 division shall be brought in the county in which the division
3409 has its executive offices or in the county where the violation
3410 occurred.

3411 (e) The division may prepare and disseminate a prospectus
3412 and other information to assist prospective owners, purchasers,
3413 lessees, and developers of residential cooperatives in assessing
3414 the rights, privileges, and duties pertaining thereto.

3415 (f) The division has authority to adopt rules pursuant to
3416 ss. 120.536(1) and 120.54 to implement and enforce the
3417 provisions of this chapter.

3418 (g) The division shall establish procedures for providing
3419 notice to an association when the division is considering the
3420 issuance of a declaratory statement with respect to the
3421 cooperative documents governing such cooperative community.

3422 (h) The division shall furnish each association which pays
3423 the fees required by paragraph (2)(a) a copy of this act,
3424 subsequent changes to this act on an annual basis, an amended
3425 version of this act as it becomes available from the Secretary
3426 of State's office on a biennial basis, and the rules adopted
3427 thereto on an annual basis.

3428 (i) The division shall annually provide each association
3429 with a summary of declaratory statements and formal legal
3430 opinions relating to the operations of cooperatives which were
3431 rendered by the division during the previous year.

3432 (j) The division shall adopt uniform accounting principles,
3433 policies, and standards to be used by all associations in the



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3434 preparation and presentation of all financial statements
3435 required by this chapter. The principles, policies, and
3436 standards shall take into consideration the size of the
3437 association and the total revenue collected by the association.

3438 (k) The division shall provide training and educational
3439 programs for cooperative association board members and unit
3440 owners. The training may, in the division's discretion, include
3441 web-based electronic media and live training and seminars in
3442 various locations throughout the state. The division may review
3443 and approve education and training programs for board members
3444 and unit owners offered by providers and shall maintain a
3445 current list of approved programs and providers and make such
3446 list available to board members and unit owners in a reasonable
3447 and cost-effective manner.

3448 (l) The division shall maintain a toll-free telephone
3449 number accessible to cooperative unit owners.

3450 (m) When a complaint is made to the division, the division
3451 shall conduct its inquiry with reasonable dispatch and with due
3452 regard to the interests of the affected parties. Within 30 days
3453 after receipt of a complaint, the division shall acknowledge the
3454 complaint in writing and notify the complainant whether the
3455 complaint is within the jurisdiction of the division and whether
3456 additional information is needed by the division from the
3457 complainant. The division shall conduct its investigation and
3458 shall, within 90 days after receipt of the original complaint or
3459 timely requested additional information, take action upon the
3460 complaint. However, the failure to complete the investigation
3461 within 90 days does not prevent the division from continuing the
3462 investigation, accepting or considering evidence obtained or



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3463 received after 90 days, or taking administrative action if
3464 reasonable cause exists to believe that a violation of this
3465 chapter or a rule of the division has occurred. If an
3466 investigation is not completed within the time limits
3467 established in this paragraph, the division shall, on a monthly
3468 basis, notify the complainant in writing of the status of the
3469 investigation. When reporting its action to the complainant, the
3470 division shall inform the complainant of any right to a hearing
3471 pursuant to ss. 120.569 and 120.57.

3472 (n) The division shall develop a program to certify both
3473 volunteer and paid mediators to provide mediation of cooperative
3474 disputes. The division shall provide, upon request, a list of
3475 such mediators to any association, unit owner, or other
3476 participant in arbitration proceedings under s. 718.1255
3477 requesting a copy of the list. The division shall include on the
3478 list of voluntary mediators only persons who have received at
3479 least 20 hours of training in mediation techniques or have
3480 mediated at least 20 disputes. In order to become initially
3481 certified by the division, paid mediators must be certified by
3482 the Supreme Court to mediate court cases in county or circuit
3483 courts. However, the division may adopt, by rule, additional
3484 factors for the certification of paid mediators, which factors
3485 must be related to experience, education, or background. Any
3486 person initially certified as a paid mediator by the division
3487 must, in order to continue to be certified, comply with the
3488 factors or requirements imposed by rules adopted by the
3489 division.

3490 (2)

3491 (c) A cooperative association shall create and maintain an



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3492 online account with the division, as required in subsection (3).

3493 (3) On or before October 1, 2025, all cooperative
3494 associations shall create and maintain an online account with
3495 the division and provide information requested by the division
3496 in an electronic format determined by the division. The division
3497 shall adopt rules to implement this subsection. The division may
3498 require cooperative associations to provide such information no
3499 more than once per year, except that the division may require
3500 cooperative associations to update their contact information in
3501 paragraph (a) within 30 days after any change. The division
3502 shall provide a cooperative association at least a 45-day notice
3503 of any requirement to provide any required information after the
3504 cooperative association creates an online account. The
3505 information that the division may require associations to
3506 provide is limited to:

3507 (a) The contact information for the association that
3508 includes all of the following:

- 3509 1. The name of the association.
3510 2. The physical address of the cooperative property.
3511 3. The mailing address and county of the association.
3512 4. The e-mail address and telephone number for the
3513 association.
3514 5. The name and board title for each member of the
3515 association's board.
3516 6. The name and contact information of the association's
3517 community association manager or community association
3518 management firm, if applicable.
3519 7. The hyperlink or website address of the association's
3520 website, if applicable.



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3521 (b) The total number of buildings and for each building in
3522 the association:

3523 1. The total number of stories of each building, including
3524 both habitable and uninhabitable stories.

3525 2. The total number of units.

3526 3. The age of each building based on the certificate of
3527 occupancy.

3528 4. Any construction commenced on the common elements within
3529 the previous calendar year.

3530 (c) The association's assessments, including the:

3531 1. Amount of assessment or special assessment by unit type,
3532 including reserves.

3533 2. Purpose of the assessment or special assessment.

3534 3. Name of the financial institution or institutions with
3535 which the association maintains accounts.

3536 (d) A copy of any structural integrity reserve study and
3537 any associated materials requested by the department. The
3538 association must provide such materials within 5 business days
3539 after such request, in a manner prescribed by the department.

3540 ~~(a) On or before January 1, 2023, cooperative associations~~
3541 ~~existing on or before July 1, 2022, must provide the following~~
3542 ~~information to the division in writing, by e-mail, United States~~
3543 ~~Postal Service, commercial delivery service, or hand delivery,~~
3544 ~~at a physical address or e-mail address provided by the division~~
3545 ~~and on a form posted on the division's website:~~

3546 ~~1. The number of buildings on the cooperative property that~~
3547 ~~are three stories or higher in height.~~

3548 ~~2. The total number of units in all such buildings.~~

3549 ~~3. The addresses of all such buildings.~~



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3550 ~~4. The counties in which all such buildings are located.~~
3551 ~~(b) The division must compile a list of the number of~~
3552 ~~buildings on cooperative property that are three stories or~~
3553 ~~higher in height, which is searchable by county, and must post~~
3554 ~~the list on the division's website. This list must include all~~
3555 ~~of the following information:~~
3556 ~~1. The name of each association with buildings on the~~
3557 ~~cooperative property that are three stories or higher in height.~~
3558 ~~2. The number of such buildings on each association's~~
3559 ~~property.~~
3560 ~~3. The addresses of all such buildings.~~
3561 ~~4. The counties in which all such buildings are located.~~
3562 ~~(c) An association must provide an update in writing to the~~
3563 ~~division if there are any changes to the information in the list~~
3564 ~~under paragraph (b) within 6 months after the change.~~
3565 Section 24. Paragraph (d) of subsection (1) and paragraphs
3566 (c) and (d) of subsection (2) of section 719.503, Florida
3567 Statutes, are amended to read:
3568 719.503 Disclosure prior to sale.—
3569 (1) DEVELOPER DISCLOSURE.—
3570 (d) *Milestone inspection, turnover inspection report, or*
3571 *structural integrity reserve study.*—If the association is
3572 required to have completed a milestone inspection as described
3573 in s. 553.899, a turnover inspection report for a turnover
3574 inspection performed on or after July 1, 2023, or a structural
3575 integrity reserve study, and the association has not completed
3576 the milestone inspection, the turnover inspection report, or the
3577 structural integrity reserve study, each contract entered into
3578 after December 31, 2024, for the sale of a residential unit



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3579 shall contain in conspicuous type a statement indicating that
3580 the association is required to have a milestone inspection, a
3581 turnover inspection report, or a structural integrity reserve
3582 study and has not completed such inspection, report, or study,
3583 as appropriate. If the association is not required to have a
3584 milestone inspection as described in s. 553.899 or a structural
3585 integrity reserve study, each contract entered into after
3586 December 31, 2024, for the sale of a residential unit shall
3587 contain in conspicuous type a statement indicating that the
3588 association is not required to have a milestone inspection or a
3589 structural integrity reserve study, as appropriate. If the
3590 association has completed a milestone inspection as described in
3591 s. 553.899, a turnover inspection report for a turnover
3592 inspection performed on or after July 1, 2023, or a structural
3593 integrity reserve study, each contract entered into after
3594 December 31, 2024, for the sale of a residential unit shall
3595 contain in conspicuous type:

3596 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
3597 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
3598 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
3599 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
3600 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
3601 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
3602 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
3603 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
3604 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15
3605 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE
3606 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

3607 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY



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3608 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
3609 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
3610 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
3611 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
3612 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
3613 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
3614 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
3615 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
3616 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
3617 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
3618 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED
3619 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
3620 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15
3621 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
3622 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED
3623 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN
3624 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER
3625 INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q),
3626 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
3627 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS
3628 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF REQUESTED IN
3629 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT
3630 CLOSING.

3631
3632 A contract that does not conform to the requirements of this
3633 paragraph is voidable at the option of the purchaser before
3634 ~~prior to~~ closing.

3635 (2) NONDEVELOPER DISCLOSURE.—

3636 (c) Each contract entered into after July 1, 1992, for the



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3637 resale of an interest in a cooperative shall contain in
3638 conspicuous type either:

3639 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
3640 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE ARTICLES OF
3641 INCORPORATION OF THE ASSOCIATION, BYLAWS, RULES OF THE
3642 ASSOCIATION, AND THE QUESTION AND ANSWER SHEET MORE THAN 7 ~~3~~
3643 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE
3644 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; or

3645 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
3646 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
3647 CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
3648 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
3649 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE ARTICLES OF
3650 INCORPORATION, BYLAWS, AND RULES OF THE ASSOCIATION, AND
3651 QUESTION AND ANSWER SHEET, IF SO REQUESTED IN WRITING. ANY
3652 PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO
3653 EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF
3654 NOT MORE THAN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
3655 HOLIDAYS, AFTER THE BUYER RECEIVES THE ARTICLES OF
3656 INCORPORATION, BYLAWS, RULES, AND QUESTION AND ANSWER SHEET, IF
3657 REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL
3658 TERMINATE AT CLOSING.

3659
3660 A contract that does not conform to the requirements of this
3661 paragraph is voidable at the option of the purchaser before
3662 ~~prior to~~ closing.

3663 (d) If the association is required to have completed a
3664 milestone inspection as described in s. 553.899, a turnover
3665 inspection report for a turnover inspection performed on or



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3666 after July 1, 2023, or a structural integrity reserve study, and
3667 the association has not completed the milestone inspection, the
3668 turnover inspection report, or the structural integrity reserve
3669 study, each contract entered into after December 31, 2024, for
3670 the sale of a residential unit shall contain in conspicuous type
3671 a statement indicating that the association is required to have
3672 a milestone inspection, a turnover inspection report, or a
3673 structural integrity reserve study and has not completed such
3674 inspection, report, or study, as appropriate. If the association
3675 is not required to have a milestone inspection as described in
3676 s. 553.899 or a structural integrity reserve study, each
3677 contract entered into after December 31, 2024, for the sale of a
3678 residential unit shall contain in conspicuous type a statement
3679 indicating that the association is not required to have a
3680 milestone inspection or a structural integrity reserve study, as
3681 appropriate. If the association has completed a milestone
3682 inspection as described in s. 553.899, a turnover inspection
3683 report for a turnover inspection performed on or after July 1,
3684 2023, or a structural integrity reserve study, each contract
3685 entered into after December 31, 2024, for the resale of a
3686 residential unit shall contain in conspicuous type:

3687 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES
3688 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-
3689 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
3690 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
3691 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
3692 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
3693 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
3694 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND



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3695 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 7 ~~3~~
3696 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE
3697 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

3698 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY
3699 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO
3700 CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL
3701 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE
3702 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-
3703 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED
3704 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF
3705 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION
3706 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A
3707 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY
3708 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND
3709 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED
3710 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER
3711 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 7
3712 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER
3713 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED
3714 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN
3715 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER
3716 INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q),
3717 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT
3718 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS
3719 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF REQUESTED IN
3720 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT
3721 CLOSING.

3722
3723 A contract that does not conform to the requirements of this



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3724 paragraph is voidable at the option of the purchaser before
3725 ~~prior to~~ closing.

3726 Section 25. Subsection (3) of section 914.21, Florida
3727 Statutes, is amended to read:

3728 914.21 Definitions.—As used in ss. 914.22-914.24, the term:

3729 (3) "Official investigation" means any investigation
3730 instituted by a law enforcement agency or prosecuting officer of
3731 the state or a political subdivision of the state or the
3732 Commission on Ethics or the Division of Florida Condominiums,
3733 Timeshares, and Mobile Homes of the Department of Business and
3734 Professional Regulation.

3735 Section 26. For the purpose of incorporating the amendment
3736 made by this act to section 468.4335, Florida Statutes, in a
3737 reference thereto, paragraph (b) of subsection (2) of section
3738 468.436, Florida Statutes, is reenacted to read:

3739 468.436 Disciplinary proceedings.—

3740 (2) The following acts constitute grounds for which the
3741 disciplinary actions in subsection (4) may be taken:

3742 (b)1. Violation of this part.

3743 2. Violation of any lawful order or rule rendered or
3744 adopted by the department or the council.

3745 3. Being convicted of or pleading nolo contendere to a
3746 felony in any court in the United States.

3747 4. Obtaining a license or certification or any other order,
3748 ruling, or authorization by means of fraud, misrepresentation,
3749 or concealment of material facts.

3750 5. Committing acts of gross misconduct or gross negligence
3751 in connection with the profession.

3752 6. Contracting, on behalf of an association, with any



3753 entity in which the licensee has a financial interest that is
3754 not disclosed.

3755 7. Failing to disclose any conflict of interest as required
3756 by s. 468.4335.

3757 8. Violating chapter 718, chapter 719, or chapter 720
3758 during the course of performing community association management
3759 services pursuant to a contract with a community association as
3760 defined in s. 468.431(1).

3761 Section 27. For the purpose of incorporating the amendment
3762 made by this act to section 718.110, Florida Statutes, in a
3763 reference thereto, paragraph (b) of subsection (2) of section
3764 718.106, Florida Statutes, is reenacted to read:

3765 718.106 Condominium parcels; appurtenances; possession and
3766 enjoyment.—

3767 (2) There shall pass with a unit, as appurtenances thereto:

3768 (b) The exclusive right to use such portion of the common
3769 elements as may be provided by the declaration, including the
3770 right to transfer such right to other units or unit owners to
3771 the extent authorized by the declaration as originally recorded,
3772 or amendments to the declaration adopted pursuant to the
3773 provisions contained therein. Amendments to declarations of
3774 condominium providing for the transfer of use rights with
3775 respect to limited common elements are not amendments that
3776 materially modify unit appurtenances as described in s.

3777 718.110(4). However, in order to be effective, the transfer of
3778 use rights with respect to limited common elements must be
3779 effectuated in conformity with the procedures set forth in the
3780 declaration as originally recorded or as amended under the
3781 procedures provided therein. This section is intended to clarify



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3782 existing law and applies to associations existing on the
3783 effective date of this act.

3784 Section 28. For the purpose of incorporating the amendment
3785 made by this act to section 718.110, Florida Statutes, in a
3786 reference thereto, subsection (4) of section 718.117, Florida
3787 Statutes, is reenacted to read:

3788 718.117 Termination of condominium.—

3789 (4) EXEMPTION.—A plan of termination is not an amendment
3790 subject to s. 718.110(4). In a partial termination, a plan of
3791 termination is not an amendment subject to s. 718.110(4) if the
3792 ownership share of the common elements of a surviving unit in
3793 the condominium remains in the same proportion to the surviving
3794 units as it was before the partial termination.

3795 Section 29. For the purpose of incorporating the amendment
3796 made by this act to section 718.110, Florida Statutes, in a
3797 reference thereto, paragraph (d) of subsection (1) of section
3798 718.403, Florida Statutes, is reenacted to read:

3799 718.403 Phase condominiums.—

3800 (1) Notwithstanding the provisions of s. 718.110, a
3801 developer may develop a condominium in phases, if the original
3802 declaration of condominium submitting the initial phase to
3803 condominium ownership or an amendment to the declaration which
3804 has been approved by all of the unit owners and unit mortgagees
3805 provides for and describes in detail all anticipated phases; the
3806 impact, if any, which the completion of subsequent phases would
3807 have upon the initial phase; and the time period within which
3808 all phases must be added to the condominium and comply with the
3809 requirements of this section and at the end of which the right
3810 to add additional phases expires.



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3811 (d) An amendment that extends the 7-year period pursuant to
3812 this section is not subject to the requirements of s.
3813 718.110(4).

3814 Section 30. For the purpose of incorporating the amendment
3815 made by this act to section 718.110, Florida Statutes, in a
3816 reference thereto, subsection (4) of section 718.405, Florida
3817 Statutes, is reenacted to read:

3818 718.405 Multicondominiums; multicondominium associations.—

3819 (4) This section does not prevent or restrict the formation
3820 of a multicondominium by the merger or consolidation of two or
3821 more condominium associations. Mergers or consolidations of
3822 associations shall be accomplished in accordance with this
3823 chapter, the declarations of the condominiums being merged or
3824 consolidated, and chapter 617. Section 718.110(4) does not apply
3825 to amendments to declarations necessary to effect a merger or
3826 consolidation. This section is intended to clarify existing law
3827 and applies to associations existing on the effective date of
3828 this act.

3829 Section 31. For the purpose of incorporating the amendment
3830 made by this act to section 718.111, Florida Statutes, in a
3831 reference thereto, paragraph (e) of subsection (3) of section
3832 721.13, Florida Statutes, is reenacted to read:

3833 721.13 Management.—

3834 (3) The duties of the managing entity include, but are not
3835 limited to:

3836 (e) Arranging for an annual audit of the financial
3837 statements of the timeshare plan by a certified public
3838 accountant licensed by the Board of Accountancy of the
3839 Department of Business and Professional Regulation, in



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3840 accordance with generally accepted auditing standards as defined
3841 by the rules of the Board of Accountancy of the Department of
3842 Business and Professional Regulation. The financial statements
3843 required by this section must be prepared on an accrual basis
3844 using fund accounting, and must be presented in accordance with
3845 generally accepted accounting principles. A copy of the audited
3846 financial statements must be filed with the division for review
3847 and forwarded to the board of directors and officers of the
3848 owners' association, if one exists, no later than 5 calendar
3849 months after the end of the timeshare plan's fiscal year. If no
3850 owners' association exists, each purchaser must be notified, no
3851 later than 5 months after the end of the timeshare plan's fiscal
3852 year, that a copy of the audited financial statements is
3853 available upon request to the managing entity. Notwithstanding
3854 any requirement of s. 718.111(13) or s. 719.104(4), the audited
3855 financial statements required by this section are the only
3856 annual financial reporting requirements for timeshare
3857 condominiums or timeshare cooperatives.

3858 Section 32. For the purpose of incorporating the amendment
3859 made by this act to section 718.112, Florida Statutes, in
3860 references thereto, paragraph (a) of subsection (7) and
3861 paragraph (c) of subsection (21) of section 718.504, Florida
3862 Statutes, are reenacted to read:

3863 718.504 Prospectus or offering circular.—Every developer of
3864 a residential condominium which contains more than 20
3865 residential units, or which is part of a group of residential
3866 condominiums which will be served by property to be used in
3867 common by unit owners of more than 20 residential units, shall
3868 prepare a prospectus or offering circular and file it with the



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3869 Division of Florida Condominiums, Timeshares, and Mobile Homes
3870 prior to entering into an enforceable contract of purchase and
3871 sale of any unit or lease of a unit for more than 5 years and
3872 shall furnish a copy of the prospectus or offering circular to
3873 each buyer. In addition to the prospectus or offering circular,
3874 each buyer shall be furnished a separate page entitled
3875 "Frequently Asked Questions and Answers," which shall be in
3876 accordance with a format approved by the division and a copy of
3877 the financial information required by s. 718.111. This page
3878 shall, in readable language, inform prospective purchasers
3879 regarding their voting rights and unit use restrictions,
3880 including restrictions on the leasing of a unit; shall indicate
3881 whether and in what amount the unit owners or the association is
3882 obligated to pay rent or land use fees for recreational or other
3883 commonly used facilities; shall contain a statement identifying
3884 that amount of assessment which, pursuant to the budget, would
3885 be levied upon each unit type, exclusive of any special
3886 assessments, and which shall further identify the basis upon
3887 which assessments are levied, whether monthly, quarterly, or
3888 otherwise; shall state and identify any court cases in which the
3889 association is currently a party of record in which the
3890 association may face liability in excess of \$100,000; shall
3891 state whether the condominium is created within a portion of a
3892 building or within a multiple parcel building; and which shall
3893 further state whether membership in a recreational facilities
3894 association is mandatory, and if so, shall identify the fees
3895 currently charged per unit type. The division shall by rule
3896 require such other disclosure as in its judgment will assist
3897 prospective purchasers. The prospectus or offering circular may



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3898 include more than one condominium, although not all such units
3899 are being offered for sale as of the date of the prospectus or
3900 offering circular. The prospectus or offering circular must
3901 contain the following information:

3902 (7) A description of the recreational and other facilities
3903 that will be used in common with other condominiums, community
3904 associations, or planned developments which require the payment
3905 of the maintenance and expenses of such facilities, directly or
3906 indirectly, by the unit owners. The description shall include,
3907 but not be limited to, the following:

3908 (a) Each building and facility committed to be built and a
3909 summary description of the structural integrity of each building
3910 for which reserves are required pursuant to s. 718.112(2)(g).

3911
3912 Descriptions shall include location, areas, capacities, numbers,
3913 volumes, or sizes and may be stated as approximations or
3914 minimums.

3915 (21) An estimated operating budget for the condominium and
3916 the association, and a schedule of the unit owner's expenses
3917 shall be attached as an exhibit and shall contain the following
3918 information:

3919 (c) The estimated items of expenses of the condominium and
3920 the association, except as excluded under paragraph (b),
3921 including, but not limited to, the following items, which shall
3922 be stated as an association expense collectible by assessments
3923 or as unit owners' expenses payable to persons other than the
3924 association:

- 3925 1. Expenses for the association and condominium:
3926 a. Administration of the association.



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- 3927 b. Management fees.
- 3928 c. Maintenance.
- 3929 d. Rent for recreational and other commonly used
- 3930 facilities.
- 3931 e. Taxes upon association property.
- 3932 f. Taxes upon leased areas.
- 3933 g. Insurance.
- 3934 h. Security provisions.
- 3935 i. Other expenses.
- 3936 j. Operating capital.
- 3937 k. Reserves for all applicable items referenced in s.
- 3938 718.112(2)(g).
- 3939 1. Fees payable to the division.
- 3940 2. Expenses for a unit owner:
- 3941 a. Rent for the unit, if subject to a lease.
- 3942 b. Rent payable by the unit owner directly to the lessor or
- 3943 agent under any recreational lease or lease for the use of
- 3944 commonly used facilities, which use and payment is a mandatory
- 3945 condition of ownership and is not included in the common expense
- 3946 or assessments for common maintenance paid by the unit owners to
- 3947 the association.
- 3948 Section 33. For the purpose of incorporating the amendment
- 3949 made by this act to section 718.112, Florida Statutes, in a
- 3950 reference thereto, paragraph (d) of subsection (1) of section
- 3951 718.618, Florida Statutes, is reenacted to read:
- 3952 718.618 Converter reserve accounts; warranties.—
- 3953 (1) When existing improvements are converted to ownership
- 3954 as a residential condominium, the developer shall establish
- 3955 converter reserve accounts for capital expenditures and deferred



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3956 maintenance, or give warranties as provided by subsection (6),
3957 or post a surety bond as provided by subsection (7). The
3958 developer shall fund the converter reserve accounts in amounts
3959 calculated as follows:

3960 (d) In addition to establishing the reserve accounts
3961 specified above, the developer shall establish those other
3962 reserve accounts required by s. 718.112(2)(f), and shall fund
3963 those accounts in accordance with the formula provided therein.
3964 The vote to waive or reduce the funding or reserves required by
3965 s. 718.112(2)(f) does not affect or negate the obligations
3966 arising under this section.

3967 Section 34. For the purpose of incorporating the amendment
3968 made by this act to section 718.113, Florida Statutes, in a
3969 reference thereto, paragraph (e) of subsection (1) of section
3970 718.115, Florida Statutes, is reenacted to read:

3971 718.115 Common expenses and common surplus.—

3972 (1)

3973 (e)1. Except as provided in s. 718.113(5)(d), if the
3974 installation of hurricane protection is the responsibility of
3975 the unit owners pursuant to the declaration of condominium or a
3976 vote of the unit owners under s. 718.113(5), the cost of the
3977 installation of hurricane protection by the association is not a
3978 common expense and must be charged individually to the unit
3979 owners based on the cost of installation of hurricane protection
3980 appurtenant to the unit. The costs of installation of hurricane
3981 protection are enforceable as an assessment and may be collected
3982 in the manner provided under s. 718.116.

3983 2. Notwithstanding s. 718.116(9), and regardless of whether
3984 the declaration requires the association or unit owners to



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3985 install, maintain, repair, or replace hurricane protection, the
3986 owner of a unit in which hurricane protection that complies with
3987 the current applicable building code has been installed is
3988 excused from any assessment levied by the association or shall
3989 receive a credit if the same type of hurricane protection is
3990 installed by the association. A credit is applicable if the
3991 installation of hurricane protection is for all other units that
3992 do not have hurricane protection and the cost of such
3993 installation is funded by the association's budget, including
3994 the use of reserve funds. The credit must be equal to the amount
3995 that the unit owner would have been assessed to install the
3996 hurricane protection. However, such unit owner remains
3997 responsible for the pro rata share of expenses for hurricane
3998 protection installed on common elements and association property
3999 by the board pursuant to s. 718.113(5) and remains responsible
4000 for a pro rata share of the expense of the replacement,
4001 operation, repair, and maintenance of such hurricane protection.
4002 Expenses for the installation, replacement, operation, repair,
4003 or maintenance of hurricane protection on common elements and
4004 association property are common expenses.

4005 Section 35. For the purpose of incorporating the amendments
4006 made by this act to sections 718.111, 718.112, and 718.503,
4007 Florida Statutes, in references thereto, subsections (1) and (3)
4008 of section 718.706, Florida Statutes, are reenacted to read:

4009 718.706 Specific provisions pertaining to offering of units
4010 by a bulk assignee or bulk buyer.—

4011 (1) Before offering more than seven units in a single
4012 condominium for sale or for lease for a term exceeding 5 years,
4013 a bulk assignee or a bulk buyer must file the following



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4014 documents with the division and provide such documents to a
4015 prospective purchaser or tenant:

4016 (a) An updated prospectus or offering circular, or a
4017 supplement to the prospectus or offering circular, filed by the
4018 original developer prepared in accordance with s. 718.504, which
4019 must include the form of contract for sale and for lease in
4020 compliance with s. 718.503(2);

4021 (b) An updated Frequently Asked Questions and Answers
4022 sheet;

4023 (c) The executed escrow agreement if required under s.
4024 718.202; and

4025 (d) The financial information required by s. 718.111(13).
4026 However, if a financial information report did not exist before
4027 the acquisition of title by the bulk assignee or bulk buyer, and
4028 if accounting records that permit preparation of the required
4029 financial information report for that period cannot be obtained
4030 despite good faith efforts by the bulk assignee or the bulk
4031 buyer, the bulk assignee or bulk buyer is excused from the
4032 requirement of this paragraph. However, the bulk assignee or
4033 bulk buyer must include in the purchase contract the following
4034 statement in conspicuous type:

4035
4036 ALL OR A PORTION OF THE FINANCIAL INFORMATION REPORT
4037 REQUIRED UNDER S. 718.111(13) FOR THE TIME PERIOD
4038 BEFORE THE SELLER'S ACQUISITION OF THE UNIT IS NOT
4039 AVAILABLE OR CANNOT BE OBTAINED DESPITE THE GOOD FAITH
4040 EFFORTS OF THE SELLER.

4041
4042 (3) A bulk assignee, while in control of the board of



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4043 administration of the association, may not authorize, on behalf
4044 of the association:

4045 (a) The waiver of reserves or the reduction of funding of
4046 the reserves pursuant to s. 718.112(2)(f)2., unless approved by
4047 a majority of the voting interests not controlled by the
4048 developer, bulk assignee, and bulk buyer; or

4049 (b) The use of reserve expenditures for other purposes
4050 pursuant to s. 718.112(2)(f)3., unless approved by a majority of
4051 the voting interests not controlled by the developer, bulk
4052 assignee, and bulk buyer.

4053 Section 36. For the purpose of incorporating the amendment
4054 made by this act to section 718.301, Florida Statutes, in a
4055 reference thereto, subsection (2) of section 718.705, Florida
4056 Statutes, is reenacted to read:

4057 718.705 Board of administration; transfer of control.—

4058 (2) Unless control of the board of administration of the
4059 association has already been relinquished pursuant to s.
4060 718.301(1), the bulk assignee must relinquish control of the
4061 association pursuant to s. 718.301 and this part, as if the bulk
4062 assignee were the developer.

4063 Section 37. For the purpose of incorporating the amendment
4064 made by this act to section 719.106, Florida Statutes, in a
4065 reference thereto, subsection (24) of section 719.103, Florida
4066 Statutes, is reenacted to read:

4067 719.103 Definitions.—As used in this chapter:

4068 (24) "Structural integrity reserve study" means a study of
4069 the reserve funds required for future major repairs and
4070 replacement of the cooperative property performed as required
4071 under s. 719.106(1)(k).



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4072 Section 38. For the purpose of incorporating the amendment
4073 made by this act to section 719.106, Florida Statutes, in
4074 references thereto, paragraph (a) of subsection (7) and
4075 paragraph (c) of subsection (20) of section 719.504, Florida
4076 Statutes, are reenacted to read:

4077 719.504 Prospectus or offering circular.—Every developer of
4078 a residential cooperative which contains more than 20
4079 residential units, or which is part of a group of residential
4080 cooperatives which will be served by property to be used in
4081 common by unit owners of more than 20 residential units, shall
4082 prepare a prospectus or offering circular and file it with the
4083 Division of Florida Condominiums, Timeshares, and Mobile Homes
4084 prior to entering into an enforceable contract of purchase and
4085 sale of any unit or lease of a unit for more than 5 years and
4086 shall furnish a copy of the prospectus or offering circular to
4087 each buyer. In addition to the prospectus or offering circular,
4088 each buyer shall be furnished a separate page entitled
4089 “Frequently Asked Questions and Answers,” which must be in
4090 accordance with a format approved by the division. This page
4091 must, in readable language: inform prospective purchasers
4092 regarding their voting rights and unit use restrictions,
4093 including restrictions on the leasing of a unit; indicate
4094 whether and in what amount the unit owners or the association is
4095 obligated to pay rent or land use fees for recreational or other
4096 commonly used facilities; contain a statement identifying that
4097 amount of assessment which, pursuant to the budget, would be
4098 levied upon each unit type, exclusive of any special
4099 assessments, and which identifies the basis upon which
4100 assessments are levied, whether monthly, quarterly, or



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4101 otherwise; state and identify any court cases in which the
4102 association is currently a party of record in which the
4103 association may face liability in excess of \$100,000; and state
4104 whether membership in a recreational facilities association is
4105 mandatory and, if so, identify the fees currently charged per
4106 unit type. The division shall by rule require such other
4107 disclosure as in its judgment will assist prospective
4108 purchasers. The prospectus or offering circular may include more
4109 than one cooperative, although not all such units are being
4110 offered for sale as of the date of the prospectus or offering
4111 circular. The prospectus or offering circular must contain the
4112 following information:

4113 (7) A description of the recreational and other facilities
4114 that will be used in common with other cooperatives, community
4115 associations, or planned developments which require the payment
4116 of the maintenance and expenses of such facilities, directly or
4117 indirectly, by the unit owners. The description shall include,
4118 but not be limited to, the following:

4119 (a) Each building and facility committed to be built and a
4120 summary description of the structural integrity of each building
4121 for which reserves are required pursuant to s. 719.106(1)(k).

4122
4123 Descriptions shall include location, areas, capacities, numbers,
4124 volumes, or sizes and may be stated as approximations or
4125 minimums.

4126 (20) An estimated operating budget for the cooperative and
4127 the association, and a schedule of the unit owner's expenses
4128 shall be attached as an exhibit and shall contain the following
4129 information:



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4130 (c) The estimated items of expenses of the cooperative and
4131 the association, except as excluded under paragraph (b),
4132 including, but not limited to, the following items, which shall
4133 be stated as an association expense collectible by assessments
4134 or as unit owners' expenses payable to persons other than the
4135 association:

- 4136 1. Expenses for the association and cooperative:
- 4137 a. Administration of the association.
 - 4138 b. Management fees.
 - 4139 c. Maintenance.
 - 4140 d. Rent for recreational and other commonly used areas.
 - 4141 e. Taxes upon association property.
 - 4142 f. Taxes upon leased areas.
 - 4143 g. Insurance.
 - 4144 h. Security provisions.
 - 4145 i. Other expenses.
 - 4146 j. Operating capital.
 - 4147 k. Reserves for all applicable items referenced in s.
4148 719.106(1)(k).
- 4149 1. Fee payable to the division.
- 4150 2. Expenses for a unit owner:
- 4151 a. Rent for the unit, if subject to a lease.
 - 4152 b. Rent payable by the unit owner directly to the lessor or
4153 agent under any recreational lease or lease for the use of
4154 commonly used areas, which use and payment are a mandatory
4155 condition of ownership and are not included in the common
4156 expense or assessments for common maintenance paid by the unit
4157 owners to the association.

4158 Section 39. Except as otherwise provided in this act, this



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4159 act shall take effect July 1, 2025.

4160

4161 ===== T I T L E A M E N D M E N T =====

4162 And the title is amended as follows:

4163 Delete everything before the enacting clause

4164 and insert:

4165 A bill to be entitled

4166 An act relating to condominium and cooperative
4167 associations; amending s. 468.432, F.S.; prohibiting a
4168 person whose community association manager license is
4169 revoked from having an indirect or direct ownership
4170 interest in, or being an employee, a partner, an
4171 officer, a director, or a trustee of, a community
4172 association management firm for a specified timeframe;
4173 requiring a licensee to create and maintain an online
4174 licensure account with the Department of Business and
4175 Professional Regulation; requiring a community
4176 association manager to identify on his or her online
4177 licensure account certain information; requiring a
4178 licensee to provide specific information on his or her
4179 online licensure account; requiring that such
4180 information be updated within a specified timeframe;
4181 requiring a community association management firm to
4182 identify on its online licensure account the community
4183 association managers it employs to provide community
4184 association management services; requiring the
4185 department to give written notice to the community
4186 association management firm and the community
4187 association if the community association manager has



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4188 his or her license suspended or revoked; amending s.
4189 468.4334, F.S.; prohibiting a community association
4190 manager or a community association management firm
4191 from knowingly performing any act directed by the
4192 community association if such act violates any state
4193 or federal law; revising the contractual obligations a
4194 community association manager or a community
4195 association management firm has with the association
4196 board; requiring that a contract include a certain
4197 statement, if applicable to the type of management
4198 services provided in the contract; providing that such
4199 contracts may not waive or limit certain professional
4200 practice standards; requiring a community association
4201 to include specified information on its website or
4202 mobile application, if such association is required to
4203 maintain official records on a website or an
4204 application; conforming provisions to changes made by
4205 the act; amending s. 468.4335, F.S.; revising what
4206 constitutes a rebuttable presumption of a conflict of
4207 interest with a community association manager or a
4208 community association management firm; defining the
4209 term "compensation"; requiring an association to
4210 solicit multiple bids from other third-party providers
4211 if a bid that exceeds a specified amount is or may
4212 reasonably be construed to be a conflict of interest;
4213 providing applicability; deleting a requirement that
4214 all contracts and transactional documents related to a
4215 proposed activity that is a conflict of interest be
4216 attached to the meeting agenda of the next board of



4217 administration meeting; requiring that the notice for
4218 the board meeting at which certain activity will be
4219 considered include certain information about a
4220 proposed activity that is a conflict of interest;
4221 deleting a requirement that the proposed activity be
4222 disclosed at the next regular or special meeting of
4223 the members; providing that a contract is voidable if
4224 certain findings are made; providing specifications
4225 for terminating a contract; making technical changes;
4226 amending s. 553.899, F.S.; requiring, rather than
4227 authorizing, the board of county commissioners or a
4228 municipal governing body to adopt a specified
4229 ordinance; requiring specified professionals who bid
4230 to perform a milestone inspection to disclose to the
4231 association in writing their intent to bid on services
4232 related to any maintenance, repair, or replacement
4233 that may be recommended by the milestone inspection;
4234 prohibiting such professionals from having any
4235 interest in or being related to any person having any
4236 interest in the firm or entity providing the
4237 association's milestone inspection unless such
4238 relationship is disclosed in writing; defining the
4239 term "relative"; providing that a contract for
4240 services is voidable and terminates upon the
4241 association filing a written notice terminating such
4242 contract if such professionals fail to provide a
4243 written disclosure of such relationship; providing
4244 that such professionals may be subject to discipline
4245 for failure to provide such written disclosure;



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4246 requiring the local enforcement agency responsible for
4247 milestone inspections to provide to the department
4248 specified information in an electronic format by a
4249 specified date; requiring the department to provide to
4250 the Office of Program Policy Analysis and Government
4251 Accountability (OPPAGA) all information obtained from
4252 the local enforcement agencies by a specified date;
4253 authorizing OPPAGA to request from the local
4254 enforcement agency any additional information
4255 necessary to compile and provide a report to the
4256 Legislature; amending s. 718.103, F.S.; revising the
4257 definition of the term "alternative funding method";
4258 defining the term "video conference"; amending s.
4259 718.110, F.S.; providing that the declaration of a
4260 nonresidential condominium may be amended to change
4261 certain provisions if all affected record owners join
4262 in the execution of such amendment; providing that the
4263 approval of nonaffected record owners is not required;
4264 requiring that certain documents be served at a unit
4265 owner's address as reflected in the association's
4266 official records; amending s. 718.111, F.S.; requiring
4267 a community association manager or a community
4268 association management firm that contracts with a
4269 community association to possess specified licenses;
4270 providing that all board members or officers of a
4271 community association that contracts with a community
4272 association manager or a community association
4273 management firm have a duty to ensure that the
4274 community association manager or community association



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4275 management firm is properly licensed before entering
4276 into a contract; authorizing a community association
4277 to terminate a contract with a community association
4278 manager or a community association management firm if
4279 the manager's or management firm's license is
4280 suspended or revoked during the term of the contract;
4281 requiring every condominium association to have
4282 adequate property insurance; deleting specified
4283 required coverage; providing that the amount of
4284 adequate insurance coverage may be based on the
4285 replacement cost of the property to be insured, as
4286 determined by an independent insurance appraisal or
4287 previous appraisal; requiring that such replacement
4288 cost be determined according to a specified timeframe;
4289 providing that an association's obligation to obtain
4290 and provide adequate property insurance may be
4291 satisfied by obtaining and maintaining insurance
4292 coverage sufficient to cover a specified amount;
4293 revising which items constitute the official records
4294 of the association; requiring that certain documents
4295 be posted on certain associations' websites or made
4296 available for download through an application on a
4297 mobile device within a specified timeframe; revising
4298 which documents must be posted in digital format on
4299 the association's website or application; revising the
4300 timeframe in which the association must deliver a copy
4301 of the most recent financial report or a notice that a
4302 copy of the most recent financial report will be
4303 distributed; revising the methods of delivery for a



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4304 copy of the most recent association financial report
4305 to include electronic delivery via the Internet;
4306 requiring that an officer or a director execute an
4307 affidavit as evidence of compliance with the delivery
4308 requirement; revising how financial reports are
4309 prepared; requiring an association board to use best
4310 efforts to make prudent investment decisions in
4311 fulfilling its duty to manage operating and reserve
4312 funds of the association; authorizing an association,
4313 including a multicondominium association, to invest
4314 reserve funds in specified financial institutions
4315 without a vote of the unit owners; amending s.
4316 718.112, F.S.; authorizing an association board
4317 meeting to be conducted in person or by video
4318 conference; requiring the Division of Florida
4319 Condominiums, Timeshares, and Mobile Homes to adopt
4320 rules; requiring that notice for board meetings
4321 conducted via video conference contain specific
4322 information; requiring that such meetings be recorded
4323 and maintained as an official record of the
4324 association; revising the distance from the
4325 condominium property within which a unit owner meeting
4326 must be held; authorizing a unit owner to vote
4327 electronically if the unit owner meeting is conducted
4328 via video conference; authorizing unit owner meetings
4329 to be conducted in person or via video conference;
4330 specifying what constitutes a quorum for meetings held
4331 via video conference; requiring that, if the bylaws
4332 are silent as to the location, the location of the



4333 meeting be provided in the association bylaws or
4334 within a specified distance from, or within the same
4335 county of, the condominium property; requiring that
4336 meetings held via video conference be recorded and be
4337 maintained as an official record of the association;
4338 requiring the division to adopt rules; revising the
4339 methods of serving notice of unit owner meetings;
4340 authorizing budget meetings to be conducted via video
4341 conference; requiring the division to adopt rules;
4342 requiring that a sound transmitting device be used at
4343 such meetings for a specified purpose; revising a
4344 provision requiring that a board proposing a budget
4345 that requires a certain special assessment against
4346 unit owners simultaneously propose a substitute budget
4347 that meets certain requirements, rather than conduct a
4348 special meeting of the unit owners to consider a
4349 substitute budget after the adoption of the annual
4350 budget; requiring unit owners, rather than authorizing
4351 them, to consider a substitute budget; providing that
4352 the annual budget initially proposed by the board be
4353 adopted under certain circumstances; revising the
4354 criteria used in determining whether assessments
4355 exceed the specified percentage of assessments of the
4356 previous fiscal year; revising the threshold for
4357 deferred maintenance expenses or replacements in
4358 reserve accounts; authorizing the members to vote to
4359 waive the maintenance of reserves recommended in the
4360 most recent structural integrity reserve study under
4361 certain circumstances; revising the provision that any



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4362 association, rather than an association operating a
4363 multicondominium, may determine to provide no reserves
4364 or less reserves than required if an alternative
4365 funding method is used by the association; deleting a
4366 requirement that the division approve the funding
4367 method; providing that specified reserves may be
4368 funded by regular assessments, special assessments,
4369 lines of credit, or loans under certain circumstances;
4370 requiring that any special assessment, line of credit,
4371 or loan be approved by a majority of the total voting
4372 interests of the association; authorizing a unit-
4373 owner-controlled association that is required to have
4374 a structural reserve study to obtain a line of credit
4375 or a loan to fund capital expenses required by a
4376 milestone inspection or a structural integrity reserve
4377 study; requiring that any special assessment, line of
4378 credit, or loan be sufficient to fund the cumulative
4379 amount of any previously waived or unfunded portions
4380 of the reserve funding amount and the most recent
4381 structural integrity reserve study; requiring that
4382 funding from the line of credit or loan be immediately
4383 available for access by the board for a specified
4384 purpose without further approval by association
4385 members; requiring that such special assessments,
4386 lines of credit, or loans be included in the
4387 association's financial report; providing
4388 applicability; deleting a requirement that the
4389 majority of the members must approve of the board
4390 pausing contributions to the association's reserves



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4391 for a specified purpose; authorizing the board to
4392 temporarily pause reserve fund contributions or reduce
4393 the amount of reserve funding for a specified purpose
4394 for a budget adopted on or before a specified date if
4395 the association has completed a milestone inspection
4396 within a specified timeframe and such inspection
4397 recommended certain repairs; requiring that such
4398 temporary pause or reduction be approved by a majority
4399 of the total voting interests of the association;
4400 providing applicability; requiring associations that
4401 have paused or reduced their reserve funding to have a
4402 structural integrity reserve study performed before
4403 the continuation of reserve contributions for
4404 specified purposes; providing that an association's
4405 reserve accounts may be pooled for a specified number
4406 of required components; requiring that reserve funding
4407 for certain components be pooled within those
4408 components; requiring that reserve funding in the
4409 proposed annual budget be sufficient to ensure that
4410 available funds meet or exceed projected expenses for
4411 all components in the reserve pool based on the
4412 reserve funding plan or schedule of the most recent
4413 structural integrity reserve study; providing that a
4414 vote of the members is not required for the board to
4415 change the accounting method for reserves to specified
4416 accounting methods; requiring the division to annually
4417 adjust for inflation the minimum threshold amount for
4418 required reserves, based on specified criteria;
4419 requiring the division, by a specified date and



4420 annually thereafter, to conspicuously post on its
4421 website the inflation-adjusted minimum threshold
4422 amount for required reserves; revising the items to be
4423 included in a structural integrity reserve study;
4424 requiring specified design professionals or
4425 contractors who bid to perform a structural integrity
4426 reserve study to disclose in writing to the
4427 association their intent to bid on any services
4428 related to the maintenance, repair, or replacement
4429 that may be recommended by the structural integrity
4430 reserve study; prohibiting such professionals or
4431 contractors from having any interest in or being
4432 related to any person having any interest in the firm
4433 or entity providing the association's structural
4434 integrity reserve study unless such relationship is
4435 disclosed in writing; defining the term "relative";
4436 providing that a contract for services is voidable and
4437 terminates upon the association filing a written
4438 notice terminating such a contract if such
4439 professional or contractor fails to provide a written
4440 disclosure of such relationship with the firm
4441 conducting the structural integrity reserve study;
4442 providing that such professional or contractor may be
4443 subject to discipline for his or her failure to
4444 provide such written disclosure; requiring that a
4445 structural integrity reserve study include a
4446 recommendation for a reserve funding schedule based on
4447 specified criteria; providing that the study may
4448 recommend other types of reserve funding schedules,



4449 provided each recommended schedule is sufficient to
4450 meet the association's maintenance obligations;
4451 requiring that reserves not required for certain items
4452 be separately identified as such in the structural
4453 integrity reserve study; requiring that the structural
4454 integrity reserve study take into consideration the
4455 funding method or methods used by the association to
4456 fund maintenance and reserve funding obligations
4457 through regular assessments, special assessments,
4458 lines of credit, or loans; requiring that a structural
4459 integrity reserve study that has been performed before
4460 the approval of a special assessment or the securing
4461 of a line of credit or a loan be updated to reflect
4462 certain information regarding the reserve funding
4463 schedule; providing that a structural integrity
4464 reserve study may be updated to reflect changes in the
4465 useful life of the reserve items after such items are
4466 repaired or replaced, and the effect such repair or
4467 replacement will have on the reserve funding schedule;
4468 requiring an association to obtain an updated
4469 structural integrity reserve study before adopting any
4470 budget in which the reserve funding from regular
4471 assessments, special assessments, lines of credit, or
4472 loans do not align with the funding plan from the most
4473 recent version of the structural integrity reserve
4474 study; revising applicability; authorizing an
4475 association to delay a required structural integrity
4476 reserve study for a specified timeframe if it has
4477 completed a milestone inspection or similar



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4478 inspection, for a specified purpose; requiring an
4479 officer or director of an association to sign an
4480 affidavit acknowledging receipt of the completed
4481 structural integrity reserve study; requiring the
4482 division to adopt rules for the form for the
4483 structural integrity reserve study in coordination
4484 with the Florida Building Commission; making technical
4485 changes; amending s. 718.113, F.S.; requiring the
4486 board to determine whose responsibility it is to pay
4487 for removal or reinstallation of hurricane protection
4488 under certain circumstances; deleting authorization
4489 for an association to enforce and collect certain
4490 charges as assessments; amending s. 718.1265, F.S.;
4491 revising the emergency powers of a condominium
4492 association; amending s. 718.128, F.S.; deleting a
4493 requirement for written notice of certain meetings;
4494 requiring, after a specified percentage of voting
4495 interests adopts a resolution, a board to hold a
4496 meeting within a certain timeframe to adopt such
4497 resolution; requiring that a petition to adopt a
4498 resolution be submitted to the board within a certain
4499 timeframe; requiring an association to designate an e-
4500 mail address for receipt of electronically transmitted
4501 ballots; requiring that electronically transmitted
4502 ballots meet specified requirements; authorizing a
4503 unit owner to electronically transmit a ballot without
4504 complying with certain provisions; requiring an
4505 association to count completed such electronically
4506 submitted ballots if such ballots comply with



4507 specified requirements; providing requirements for
4508 electronically transmitted ballots; providing a
4509 rebuttable presumption; amending s. 718.203, F.S.;
4510 providing that all condominiums, not just residential,
4511 can be covered by an insured warranty program;
4512 amending s. 718.301, F.S.; providing that certain
4513 provisions of law relating to transfer of control of
4514 an association do not apply to certain residential
4515 condominiums beginning on a specified date; amending
4516 s. 718.302, F.S.; providing that certain agreements
4517 may be cancelled by unit owners if the unit owners own
4518 a specified percentage of voting interests in certain
4519 condominiums; amending s. 718.407, F.S.; requiring
4520 that a specified report be provided to an association
4521 within a certain timeframe after the end of the fiscal
4522 year; requiring that copies of receipts and invoices
4523 be included with the report; authorizing the division
4524 to impose penalties under certain circumstances;
4525 authorizing an association to challenge the
4526 apportionment of certain costs of the shared
4527 facilities within a certain timeframe; providing
4528 construction; amending s. 718.501, F.S.; revising the
4529 duties of the Division of Florida Condominiums,
4530 Timeshares, and Mobile Homes regarding investigation
4531 of complaints; requiring condominium associations to
4532 create and maintain an online account with the
4533 division on or before a specified date; requiring
4534 condominium associations to provide requested
4535 information to the division; requiring the division to



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4536 adopt rules; authorizing the division to require
4537 condominium associations to provide such information
4538 no more than once a year; requiring that certain
4539 information be updated within a specified timeframe;
4540 requiring the division to provide a condominium
4541 association a specified notice of any requirement to
4542 provide information after the condominium association
4543 creates an online account; specifying the information
4544 the division may require from a condominium
4545 association; amending s. 718.503, F.S.; revising the
4546 disclosures that must be included in a contract for
4547 the sale and resale of a residential unit; amending s.
4548 8 of chapter 2024-244, Laws of Florida, as amended;
4549 requiring that specified documents be made available
4550 on an association's website or made available for
4551 download through an application on a mobile device
4552 within a specified timeframe; revising the documents
4553 required to be posted in digital format on an
4554 association's website or application; amending s. 31
4555 of chapter 2024-244, Laws of Florida; revising
4556 retroactivity and applicability; amending s. 719.104,
4557 F.S.; requiring a board to use best efforts to make
4558 prudent investment decisions in fulfilling its duty to
4559 manage operating and reserve funds of the cooperative
4560 association; authorizing an association to invest
4561 reserve funds in specified financial institutions
4562 without a vote of the unit owners; amending s.
4563 719.106, F.S.; revising the deferred maintenance
4564 expense or replacement costs threshold that must be



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4565 included in reserve accounts; authorizing the board to
4566 pause contributions to its reserves or reduce reserve
4567 funding if a local building official determines the
4568 entire cooperative building is uninhabitable due to a
4569 natural emergency; authorizing any reserve account
4570 funds held by the association to be expended to make
4571 the cooperative building and its structures habitable,
4572 pursuant to the board's determination; requiring the
4573 association to immediately resume contributing funds
4574 to its reserves upon determination by the local
4575 building official that the cooperative building is
4576 habitable; providing that certain reserves may be
4577 funded by regular assessments, special assessments,
4578 lines of credit, or loans under certain circumstances;
4579 requiring that a special assessment, a line of credit,
4580 or a loan requires the approval of a majority vote of
4581 the total voting interests of an association;
4582 authorizing a unit-owner-controlled association to
4583 obtain a line of credit or a loan to fund capital
4584 expenses required by a milestone inspection or a
4585 structural integrity reserve study; requiring that
4586 such lines of credit or loans be sufficient to fund
4587 the cumulative amount of any previously waived or
4588 unfunded portion of the reserve funding amount and
4589 most recent structural integrity reserve study;
4590 requiring that funding from such line of credit or
4591 loan be immediately available for access by the board
4592 for a specified purpose without further approval by
4593 the members of the association; requiring that any



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4594 special assessment, line of credit, or loan be
4595 included in the annual financial statement to be
4596 delivered to unit owners and provided to prospective
4597 unit purchasers; authorizing the board to temporarily
4598 pause reserve fund contributions or reduce the amount
4599 of reserve funding for a specified purpose for a
4600 budget adopted on or before a specified date if the
4601 association has completed a milestone inspection
4602 within a specified timeframe; requiring that such
4603 temporary pause or reduction be approved by a majority
4604 of the total voting interests of the association;
4605 providing applicability; requiring associations that
4606 have paused or reduced reserve funding contributions
4607 to have a structural integrity reserve study performed
4608 for specified purposes before the continuation of
4609 reserve contributions; providing that an association's
4610 reserve accounts may be pooled for a specified number
4611 of required components; requiring that reserve funding
4612 for certain components be pooled within those
4613 components; requiring that reserve funding in the
4614 proposed annual budget be sufficient to ensure that
4615 available funds meet or exceed projected expenses for
4616 all components in the reserve pool based on the
4617 reserve funding plan or schedule of the most recent
4618 structural integrity reserve study; providing that a
4619 vote of the members is not required for the board to
4620 change the accounting method for reserves to specified
4621 accounting methods; requiring the division to annually
4622 adjust for inflation the minimum threshold amount for



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4623 required reserves based on specified criteria;
4624 requiring the division, by a specified date and
4625 annually thereafter, to conspicuously post on its
4626 website the inflation-adjusted minimum threshold
4627 amount for required reserves; revising the items
4628 required to be included in a structural integrity
4629 reserve study; requiring specified design
4630 professionals or contractors, rather than any person
4631 qualified to perform a structural integrity reserve
4632 study, to perform structural integrity reserve
4633 studies; requiring such design professionals or
4634 contractors who bid to perform a structural integrity
4635 reserve study to disclose in writing to the
4636 association their intent to bid on any services
4637 related to the maintenance, repair, or replacement
4638 that may be recommended by the structural integrity
4639 reserve study; prohibiting such professionals or
4640 contractors from having any interest in or being
4641 related to any person having any interest in the firm
4642 or entity providing the association's structural
4643 integrity reserve study unless such relationship is
4644 disclosed in writing; defining the term "relative";
4645 providing that a contract for services is voidable and
4646 terminates upon the association filing a written
4647 notice terminating such a contract if such
4648 professional or contractor fails to provide a written
4649 disclosure of such relationship with the firm
4650 conducting the structural integrity reserve study;
4651 providing that such professional or contractor may be



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4652 subject to discipline for his or her failure to
4653 provide such written disclosure; requiring that a
4654 structural integrity reserve study include a
4655 recommendation for a reserve funding schedule based on
4656 specified criteria; providing that the study may
4657 recommend other types of reserve funding schedules,
4658 provided each recommended schedule is sufficient to
4659 meet the association's maintenance obligation;
4660 requiring that reserves not required for certain items
4661 be separately identified as such in the structural
4662 integrity reserve study; requiring that the structural
4663 integrity reserve study take into consideration the
4664 funding method or methods used by the association to
4665 fund its maintenance and reserve funding obligations
4666 through regular assessments, special assessments,
4667 lines of credit, or loans; requiring that a structural
4668 integrity reserve study that has been performed before
4669 the approval of a special assessment or the securing
4670 of a line of credit or a loan be updated to reflect
4671 certain information regarding the reserve funding
4672 schedule; providing that a structural integrity
4673 reserve study may be updated to reflect changes in the
4674 useful life of the reserve items after such items are
4675 repaired or replaced, and the effect of such repair or
4676 replacement will have on the reserve funding schedule;
4677 requiring an association to obtain an updated
4678 structural integrity reserve study before adopting any
4679 budget in which the reserve funding from regular
4680 assessments, special assessments, lines of credit, or



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4681 loans do not align with the funding plan from the most
4682 recent version of the structural integrity reserve
4683 study; revising applicability; authorizing an
4684 association to delay a required structural integrity
4685 reserve study for a specified timeframe if it has
4686 completed a milestone inspection or similar
4687 inspection, for a specified purpose; requiring an
4688 officer or a director of the association to sign an
4689 affidavit acknowledging receipt of the completed
4690 structural integrity reserve study; requiring the
4691 division to adopt by rule the form for the structural
4692 integrity reserve study in coordination with the
4693 Florida Building Commission; amending s. 719.128,
4694 F.S.; revising the emergency powers of a cooperative
4695 association; amending s. 719.501, F.S.; requiring a
4696 cooperative association to create and maintain an
4697 online account with the division; requiring the
4698 division to adopt rules; authorizing the division to
4699 require cooperative associations to provide
4700 information to the division no more than once per
4701 year; providing an exception; requiring the division
4702 to provide associations a specified timeframe to
4703 provide any required information; specifying the
4704 information the division may request; amending s.
4705 719.503, F.S.; revising the disclosures required to be
4706 included in a contract for the sale and resale of an
4707 interest in a cooperative; amending s. 914.21, F.S.;
4708 revising the definition of the term "official
4709 investigation"; reenacting s. 468.436(2)(b), F.S.,



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4710 relating to disciplinary proceedings, to incorporate
4711 the amendment made to s. 468.4335, F.S., in a
4712 reference thereto; reenacting ss. 718.106(2)(b),
4713 718.117(4), 718.403(1)(d), and 718.405(4), F.S.,
4714 relating to condominium appurtenances, termination of
4715 condominium, phase condominiums, and
4716 multicondominiums, respectively, to incorporate the
4717 amendment made to s. 718.110, F.S., in references
4718 thereto; reenacting s. 721.13(3)(e), F.S., relating to
4719 management, to incorporate the amendment made to s.
4720 718.111, F.S., in a reference thereto; reenacting ss.
4721 718.504(7)(a) and (21)(c) and 718.618(1)(d), F.S.,
4722 relating to prospectus or offering circulars and
4723 converter reserve accounts and warranties,
4724 respectively, to incorporate the amendment made to s.
4725 718.112, F.S., in references thereto; reenacting s.
4726 718.115(1)(e), F.S., relating to common expenses and
4727 common surpluses, to incorporate the amendment made in
4728 s. 718.113, F.S., in a reference thereto; reenacting
4729 s. 718.706(1) and (3), F.S., relating to specific
4730 provisions pertaining to offering of units by bulk
4731 assignees or bulk buyers, to incorporate the
4732 amendments made to ss. 718.111, 718.112, and 718.503,
4733 F.S., in references thereto; reenacting s. 718.705(2),
4734 F.S., relating to the transfer of control of the board
4735 of administration, to incorporate the amendment made
4736 to s. 718.301, F.S., in a reference thereto;
4737 reenacting ss. 719.103(24) and 719.504(7)(a) and
4738 (20)(c), F.S., relating to definitions and prospectus



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or offering circulars, respectively, to incorporate
the amendment made to s. 719.106, F.S., in references
thereto; providing effective dates.