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1  
2       An act relating to condominium and cooperative  
3       associations; amending s. 468.432, F.S.; prohibiting a  
4       person whose community association manager license is  
5       revoked from having an indirect or direct ownership  
6       interest in, or being an employee, a partner, an  
7       officer, a director, or a trustee of, a community  
8       association management firm for a specified timeframe;  
9       requiring a licensee to create and maintain an online  
10      licensure account with the Department of Business and  
11      Professional Regulation; requiring a community  
12      association manager to identify on his or her online  
13      licensure account certain information; requiring a  
14      licensee to provide specific information on his or her  
15      online licensure account; requiring that such  
16      information be updated within a specified timeframe;  
17      requiring a community association management firm to  
18      identify on its online licensure account the community  
19      association managers it employs to provide community  
20      association management services; requiring the  
21      department to give written notice to the community  
22      association management firm and the community  
23      association if the community association manager has  
24      his or her license suspended or revoked; amending s.  
25      468.4334, F.S.; prohibiting a community association

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26 |       manager or a community association management firm  
27 |       from knowingly performing any act directed by the  
28 |       community association if such act violates any state  
29 |       or federal law; revising the contractual obligations a  
30 |       community association manager or a community  
31 |       association management firm has with the association  
32 |       board; requiring that a contract include a certain  
33 |       statement, if applicable to the type of management  
34 |       services provided in the contract; providing that such  
35 |       contracts may not waive or limit certain professional  
36 |       practice standards; requiring a community association  
37 |       to include specified information on its website or  
38 |       mobile application, if such association is required to  
39 |       maintain official records on a website or an  
40 |       application; conforming provisions to changes made by  
41 |       the act; amending s. 468.4335, F.S.; revising what  
42 |       constitutes a rebuttable presumption of a conflict of  
43 |       interest with a community association manager or a  
44 |       community association management firm; defining the  
45 |       term "compensation"; requiring an association to  
46 |       solicit multiple bids from other third-party providers  
47 |       if a bid that exceeds a specified amount is or may  
48 |       reasonably be construed to be a conflict of interest;  
49 |       providing applicability; deleting a requirement that  
50 |       all contracts and transactional documents related to a

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51        proposed activity that is a conflict of interest be  
52        attached to the meeting agenda of the next board of  
53        administration meeting; requiring that the notice for  
54        the board meeting at which certain activity will be  
55        considered include certain information about a  
56        proposed activity that is a conflict of interest;  
57        deleting a requirement that the proposed activity be  
58        disclosed at the next regular or special meeting of  
59        the members; providing that a contract is voidable if  
60        certain findings are made; providing specifications  
61        for terminating a contract; making technical changes;  
62        amending s. 553.899, F.S.; revising the criteria for  
63        buildings that require a milestone inspection;  
64        requiring, rather than authorizing, the board of  
65        county commissioners or a municipal governing body to  
66        adopt a specified ordinance; requiring specified  
67        professionals who bid to perform a milestone  
68        inspection to disclose to the association in writing  
69        their intent to bid on services related to any  
70        maintenance, repair, or replacement that may be  
71        recommended by the milestone inspection; prohibiting  
72        such professionals from having any interest in or  
73        being related to any person having any interest in the  
74        firm or entity providing the association's milestone  
75        inspection unless such relationship is disclosed in

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76 writing; defining the term "relative"; providing that  
77 a contract for services is voidable and terminates  
78 upon the association filing a written notice  
79 terminating such contract if such professionals fail  
80 to provide a written disclosure of such relationship;  
81 providing that such professionals may be subject to  
82 discipline for failure to provide such written  
83 disclosure; requiring the local enforcement agency  
84 responsible for milestone inspections to provide to  
85 the department specified information in an electronic  
86 format by a specified date; requiring the department  
87 to provide to the Office of Program Policy Analysis  
88 and Government Accountability (OPPAGA) all information  
89 obtained from the local enforcement agencies by a  
90 specified date; authorizing OPPAGA to request from the  
91 local enforcement agency any additional information  
92 necessary to compile and provide a report to the  
93 Legislature; amending s. 718.103, F.S.; revising the  
94 definition of the term "alternative funding method";  
95 defining the term "video conference"; amending s.  
96 718.110, F.S.; providing that the declaration of a  
97 nonresidential condominium may be amended to change  
98 certain provisions if all affected record owners join  
99 in the execution of such amendment; providing that the  
100 approval of nonaffected record owners is not required;

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101        requiring that certain documents be served at a unit  
102        owner's address as reflected in the association's  
103        official records; amending s. 718.111, F.S.; requiring  
104        a community association manager or a community  
105        association management firm that contracts with a  
106        community association to possess specified licenses;  
107        providing that all board members or officers of a  
108        community association that contracts with a community  
109        association manager or a community association  
110        management firm have a duty to ensure that the  
111        community association manager or community association  
112        management firm is properly licensed before entering  
113        into a contract; authorizing a community association  
114        to terminate a contract with a community association  
115        manager or a community association management firm if  
116        the manager's or management firm's license is  
117        suspended or revoked during the term of the contract;  
118        requiring every condominium association to have  
119        adequate property insurance; deleting specified  
120        required coverage; providing that the amount of  
121        adequate insurance coverage may be based on the  
122        replacement cost of the property to be insured, as  
123        determined by an independent insurance appraisal or  
124        previous appraisal; requiring that such replacement  
125        cost be determined according to a specified timeframe;

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126 providing that an association's obligation to obtain  
127 and provide adequate property insurance may be  
128 satisfied by obtaining and maintaining insurance  
129 coverage sufficient to cover a specified amount;  
130 revising which items constitute the official records  
131 of the association; requiring that certain documents  
132 be posted on certain associations' websites or made  
133 available for download through an application on a  
134 mobile device within a specified timeframe; revising  
135 which documents must be posted in digital format on  
136 the association's website or application; revising the  
137 timeframe in which the association must deliver a copy  
138 of the most recent financial report or a notice that a  
139 copy of the most recent financial report will be  
140 distributed; revising the methods of delivery for a  
141 copy of the most recent association financial report  
142 to include electronic delivery via the Internet;  
143 requiring that an officer or a director execute an  
144 affidavit as evidence of compliance with the delivery  
145 requirement; revising how financial reports are  
146 prepared; requiring an association board to use best  
147 efforts to make prudent investment decisions in  
148 fulfilling its duty to manage operating and reserve  
149 funds of the association; authorizing an association,  
150 including a multicondominium association, to invest

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151        reserve funds in specified financial institutions  
152        without a vote of the unit owners; amending s.  
153        718.112, F.S.; authorizing an association board  
154        meeting to be conducted in person or by video  
155        conference; requiring the Division of Florida  
156        Condominiums, Timeshares, and Mobile Homes to adopt  
157        rules; requiring that notice for board meetings  
158        conducted via video conference contain specific  
159        information; requiring that such meetings be recorded  
160        and maintained as an official record of the  
161        association; revising the distance from the  
162        condominium property within which a unit owner meeting  
163        must be held; authorizing a unit owner to vote  
164        electronically if the unit owner meeting is conducted  
165        via video conference; authorizing unit owner meetings  
166        to be conducted in person or via video conference;  
167        specifying what constitutes a quorum for meetings held  
168        via video conference; requiring that, if the bylaws  
169        are silent as to the location, the location of the  
170        meeting be provided in the association bylaws or  
171        within a specified distance from, or within the same  
172        county of, the condominium property; requiring that  
173        meetings held via video conference be recorded and be  
174        maintained as an official record of the association;  
175        requiring the division to adopt rules; revising the

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176        methods of serving notice of unit owner meetings;  
177        authorizing budget meetings to be conducted via video  
178        conference; requiring the division to adopt rules;  
179        requiring that a sound transmitting device be used at  
180        such meetings for a specified purpose; revising a  
181        provision requiring that a board proposing a budget  
182        that requires a certain special assessment against  
183        unit owners simultaneously propose a substitute budget  
184        that meets certain requirements, rather than conduct a  
185        special meeting of the unit owners to consider a  
186        substitute budget after the adoption of the annual  
187        budget; requiring unit owners, rather than authorizing  
188        them, to consider a substitute budget; providing that  
189        the annual budget initially proposed by the board be  
190        adopted under certain circumstances; revising the  
191        criteria used in determining whether assessments  
192        exceed the specified percentage of assessments of the  
193        previous fiscal year; revising the threshold for  
194        deferred maintenance expenses or replacements in  
195        reserve accounts; authorizing the members to vote to  
196        waive the maintenance of reserves recommended in the  
197        most recent structural integrity reserve study under  
198        certain circumstances; deleting a requirement that the  
199        division approve the funding method; providing that  
200        specified reserves may be funded by regular



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assessments, special assessments, lines of credit, or loans under certain circumstances; requiring that any special assessment, line of credit, or loan be approved by a majority of the total voting interests of the association; authorizing a unit-owner-controlled association that is required to have a structural reserve study to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that any special assessment, line of credit, or loan be sufficient to fund the cumulative amount of any previously waived or unfunded portions of the reserve funding amount and the most recent structural integrity reserve study; requiring that funding from the line of credit or loan be immediately available for access by the board for a specified purpose without further approval by association members; requiring that such special assessments, lines of credit, or loans be included in the association's financial report; providing applicability; deleting a requirement that the majority of the members must approve of the board pausing contributions to the association's reserves for a specified purpose; authorizing the board to temporarily pause reserve fund contributions or reduce

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the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the association has completed a milestone inspection within a specified timeframe and such inspection recommended certain repairs; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced their reserve funding to have a structural integrity reserve study performed before the continuation of reserve contributions for specified purposes; providing that an association's reserve accounts may be pooled for a specified number of required components; requiring that reserve funding for certain components be pooled within those components; requiring that reserve funding in the proposed annual budget be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for

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required reserves, based on specified criteria;  
requiring the division, by a specified date and  
annually thereafter, to conspicuously post on its  
website the inflation-adjusted minimum threshold  
amount for required reserves; revising the items to be  
included in a structural integrity reserve study;  
requiring specified design professionals or  
contractors who bid to perform a structural integrity  
reserve study to disclose in writing to the  
association their intent to bid on any services  
related to the maintenance, repair, or replacement  
that may be recommended by the structural integrity  
reserve study; prohibiting such professionals or  
contractors from having any interest in or being  
related to any person having any interest in the firm  
or entity providing the association's structural  
integrity reserve study unless such relationship is  
disclosed in writing; defining the term "relative";  
providing that a contract for services is voidable and  
terminates upon the association filing a written  
notice terminating such a contract if such  
professional or contractor fails to provide a written  
disclosure of such relationship with the firm  
conducting the structural integrity reserve study;  
providing that such professional or contractor may be

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subject to discipline for his or her failure to provide such written disclosure; requiring that a structural integrity reserve study include a recommendation for a reserve funding schedule based on specified criteria; providing that the study may recommend other types of reserve funding schedules, provided each recommended schedule is sufficient to meet the association's maintenance obligations; requiring that reserves not required for certain items be separately identified as such in the structural integrity reserve study; requiring that the structural integrity reserve study take into consideration the funding method or methods used by the association to fund maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans; requiring that a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan be updated to reflect certain information regarding the reserve funding schedule; providing that a structural integrity reserve study may be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect such repair or replacement will have on the reserve funding schedule;

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301 requiring an association to obtain an updated  
302 structural integrity reserve study before adopting any  
303 budget in which the reserve funding from regular  
304 assessments, special assessments, lines of credit, or  
305 loans do not align with the funding plan from the most  
306 recent version of the structural integrity reserve  
307 study; revising applicability; authorizing an  
308 association to delay a required structural integrity  
309 reserve study for a specified timeframe if it has  
310 completed a milestone inspection or similar  
311 inspection, for a specified purpose; requiring an  
312 officer or director of an association to sign an  
313 affidavit acknowledging receipt of the completed  
314 structural integrity reserve study; requiring the  
315 division to adopt rules for the form for the  
316 structural integrity reserve study in coordination  
317 with the Florida Building Commission; making technical  
318 changes; amending s. 718.113, F.S.; requiring the  
319 board to determine whose responsibility it is to pay  
320 for removal or reinstallation of hurricane protection  
321 under certain circumstances; deleting authorization  
322 for an association to enforce and collect certain  
323 charges as assessments; amending s. 718.1265, F.S.;  
324 revising the emergency powers of a condominium  
325 association; amending s. 718.128, F.S.; deleting a

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326 requirement for written notice of certain meetings;  
327 requiring, after a specified percentage of voting  
328 interests adopts a resolution, a board to hold a  
329 meeting within a certain timeframe to adopt such  
330 resolution; requiring that a petition to adopt a  
331 resolution be submitted to the board within a certain  
332 timeframe; requiring an association to designate an e-  
333 mail address for receipt of electronically transmitted  
334 ballots; requiring that electronically transmitted  
335 ballots meet specified requirements; authorizing a  
336 unit owner to electronically transmit a ballot without  
337 complying with certain provisions; requiring an  
338 association to count completed such electronically  
339 submitted ballots if such ballots comply with  
340 specified requirements; providing requirements for  
341 electronically transmitted ballots; providing a  
342 rebuttable presumption; amending s. 718.203, F.S.;  
343 providing that all condominiums, not just residential,  
344 can be covered by an insured warranty program;  
345 amending s. 718.301, F.S.; providing that certain  
346 provisions of law relating to transfer of control of  
347 an association do not apply to certain residential  
348 condominiums beginning on a specified date; amending  
349 s. 718.302, F.S.; providing that certain agreements  
350 may be cancelled by unit owners if the unit owners own

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a specified percentage of voting interests in certain condominiums; amending s. 718.407, F.S.; requiring that a specified report be provided to an association within a certain timeframe after the end of the fiscal year; requiring that copies of receipts and invoices be included with the report; authorizing the division to impose penalties under certain circumstances; authorizing an association to challenge the apportionment of certain costs of the shared facilities within a certain timeframe; providing construction; amending s. 718.501, F.S.; revising the duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes regarding investigation of complaints; requiring condominium associations to create and maintain an online account with the division on or before a specified date; requiring condominium associations to provide requested information to the division; requiring the division to adopt rules; authorizing the division to require condominium associations to provide such information no more than once a year; requiring that certain information be updated within a specified timeframe; requiring the division to provide a condominium association a specified notice of any requirement to provide information after the condominium association

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creates an online account; specifying the information the division may require from a condominium association; amending s. 718.503, F.S.; revising the disclosures that must be included in a contract for the sale and resale of a residential unit; amending s. 8 of chapter 2024-244, Laws of Florida, as amended; requiring that specified documents be made available on an association's website or made available for download through an application on a mobile device within a specified timeframe; revising the documents required to be posted in digital format on an association's website or application; amending s. 31 of chapter 2024-244, Laws of Florida; revising retroactivity and applicability; amending s. 719.104, F.S.; requiring a board to use best efforts to make prudent investment decisions in fulfilling its duty to manage operating and reserve funds of the cooperative association; authorizing an association to invest reserve funds in specified financial institutions without a vote of the unit owners; amending s. 719.106, F.S.; revising the deferred maintenance expense or replacement costs threshold that must be included in reserve accounts; authorizing the board to pause contributions to its reserves or reduce reserve funding if a local building official determines the



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entire cooperative building is uninhabitable due to a natural emergency; authorizing any reserve account funds held by the association to be expended to make the cooperative building and its structures habitable, pursuant to the board's determination; requiring the association to immediately resume contributing funds to its reserves upon determination by the local building official that the cooperative building is habitable; providing that certain reserves may be funded by regular assessments, special assessments, lines of credit, or loans under certain circumstances; requiring that a special assessment, a line of credit, or a loan requires the approval of a majority vote of the total voting interests of an association; authorizing a unit-owner-controlled association to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that such lines of credit or loans be sufficient to fund the cumulative amount of any previously waived or unfunded portion of the reserve funding amount and most recent structural integrity reserve study; requiring that funding from such line of credit or loan be immediately available for access by the board for a specified purpose without further approval by

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the members of the association; requiring that any special assessment, line of credit, or loan be included in the annual financial statement to be delivered to unit owners and provided to prospective unit purchasers; authorizing the board to temporarily pause reserve fund contributions or reduce the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the association has completed a milestone inspection within a specified timeframe; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced reserve funding contributions to have a structural integrity reserve study performed for specified purposes before the continuation of reserve contributions; providing that an association's reserve accounts may be pooled for a specified number of required components; requiring that reserve funding for certain components be pooled within those components; requiring that reserve funding in the proposed annual budget be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent

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structural integrity reserve study; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for required reserves based on specified criteria; requiring the division, by a specified date and annually thereafter, to conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves; revising the criteria for buildings that require a structural integrity reserve study; revising the items required to be included in a structural integrity reserve study; requiring specified design professionals or contractors, rather than any person qualified to perform a structural integrity reserve study, to perform structural integrity reserve studies; requiring such design professionals or contractors who bid to perform a structural integrity reserve study to disclose in writing to the association their intent to bid on any services related to the maintenance, repair, or replacement that may be recommended by the structural integrity reserve study; prohibiting such professionals or contractors from having any interest in or being related to any person having any interest

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476        in the firm or entity providing the association's  
477        structural integrity reserve study unless such  
478        relationship is disclosed in writing; defining the  
479        term "relative"; providing that a contract for  
480        services is voidable and terminates upon the  
481        association filing a written notice terminating such a  
482        contract if such professional or contractor fails to  
483        provide a written disclosure of such relationship with  
484        the firm conducting the structural integrity reserve  
485        study; providing that such professional or contractor  
486        may be subject to discipline for his or her failure to  
487        provide such written disclosure; requiring that a  
488        structural integrity reserve study include a  
489        recommendation for a reserve funding schedule based on  
490        specified criteria; providing that the study may  
491        recommend other types of reserve funding schedules,  
492        provided each recommended schedule is sufficient to  
493        meet the association's maintenance obligation;  
494        requiring that reserves not required for certain items  
495        be separately identified as such in the structural  
496        integrity reserve study; requiring that the structural  
497        integrity reserve study take into consideration the  
498        funding method or methods used by the association to  
499        fund its maintenance and reserve funding obligations  
500        through regular assessments, special assessments,

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lines of credit, or loans; requiring that a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan be updated to reflect certain information regarding the reserve funding schedule; providing that a structural integrity reserve study may be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect of such repair or replacement will have on the reserve funding schedule; requiring an association to obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study; revising applicability; authorizing an association to delay a required structural integrity reserve study for a specified timeframe if it has completed a milestone inspection or similar inspection, for a specified purpose; requiring an officer or a director of the association to sign an affidavit acknowledging receipt of the completed structural integrity reserve study; requiring the division to adopt by rule the form for the structural

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integrity reserve study in coordination with the  
Florida Building Commission; amending s. 719.128,  
F.S.; revising the emergency powers of a cooperative  
association; amending s. 719.501, F.S.; requiring a  
cooperative association to create and maintain an  
online account with the division; requiring the  
division to adopt rules; authorizing the division to  
require cooperative associations to provide  
information to the division no more than once per  
year; providing an exception; requiring the division  
to provide associations a specified timeframe to  
provide any required information; specifying the  
information the division may request; amending s.  
719.503, F.S.; revising the disclosures required to be  
included in a contract for the sale and resale of an  
interest in a cooperative; amending s. 914.21, F.S.;  
revising the definition of the term "official  
investigation"; reenacting s. 468.436(2)(b), F.S.,  
relating to disciplinary proceedings, to incorporate  
the amendment made to s. 468.4335, F.S., in a  
reference thereto; reenacting ss. 718.106(2)(b),  
718.117(4), 718.403(1)(d), and 718.405(4), F.S.,  
relating to condominium appurtenances, termination of  
condominium, phase condominiums, and  
multicondominiums, respectively, to incorporate the

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amendment made to s. 718.110, F.S., in references thereto; reenacting s. 721.13(3)(e), F.S., relating to management, to incorporate the amendment made to s. 718.111, F.S., in a reference thereto; reenacting ss. 718.504(7)(a) and (21)(c) and 718.618(1)(d), F.S., relating to prospectus or offering circulars and converter reserve accounts and warranties, respectively, to incorporate the amendment made to s. 718.112, F.S., in references thereto; reenacting s. 718.115(1)(e), F.S., relating to common expenses and common surpluses, to incorporate the amendment made in s. 718.113, F.S., in a reference thereto; reenacting s. 718.706(1) and (3), F.S., relating to specific provisions pertaining to offering of units by bulk assignees or bulk buyers, to incorporate the amendments made to ss. 718.111, 718.112, and 718.503, F.S., in references thereto; reenacting s. 718.705(2), F.S., relating to the transfer of control of the board of administration, to incorporate the amendment made to s. 718.301, F.S., in a reference thereto; reenacting ss. 719.103(24) and 719.504(7)(a) and (20)(c), F.S., relating to definitions and prospectus or offering circulars, respectively, to incorporate the amendment made to s. 719.106, F.S., in references thereto; providing effective dates.

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

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

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

(3) A licensee must create and maintain an online



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licensure account with the department. Each community association manager must identify on his or her online licensure account the community association management firm for which he or she provides management services and identify each community association for which he or she is the designated onsite community association manager. A licensee must update his or her online licensure account with this information within 30 days after any change to the required information. A community association management firm must identify on its online licensure account the community association managers that it employs to provide community association management services. If a community association manager has his or her license suspended or revoked, the department must give written notice of such suspension or revocation to the community association management firm and the community association for which the manager performs community management services.

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

468.4334 Professional practice standards; liability; community association manager requirements; return of records after termination of contract.—

(1)(a) A community association manager or a community association management firm is deemed to act as agent on behalf of a community association as principal within the scope of authority authorized by a written contract or under this

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chapter. A community association manager or a community association management firm may not knowingly perform any act directed by the community association if such an act violates any state or federal law. A community association manager and a community association management firm shall discharge duties performed on behalf of the association as authorized by this chapter loyally, skillfully, and diligently; dealing honestly and fairly; in good faith; with care and full disclosure to the community association; accounting for all funds; and not charging unreasonable or excessive fees.

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

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

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651        The community association manager shall abide by all  
652        professional standards and record keeping requirements  
653        imposed pursuant to part VIII of chapter 468, Florida  
654        Statutes.

655  
656        (d) A contract between a community association manager or  
657        community association management firm and a community  
658        association may not waive or limit the professional practice  
659        standards required pursuant to this part.

660        (3) A community association manager or community  
661        association management firm that is authorized by contract to  
662        provide community association management services to a community  
663        ~~homeowners'~~ association shall do all of the following:

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

666        (b) Provide to the members of the community ~~homeowners'~~  
667        association the name and contact information for each community  
668        association manager or representative of a community association  
669        management firm assigned to the community ~~homeowners'~~  
670        association, the manager's or representative's hours of  
671        availability, and a summary of the duties for which the manager  
672        or representative is responsible. The community ~~homeowners'~~  
673        association shall also post this information on the  
674        association's website or mobile application, if the association  
675        is required to maintain official records on a website or

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676 application ~~required under s. 720.303(4)(b)~~. The community  
677 association manager or community association management firm  
678 shall update the community homeowners' association and its  
679 members within 14 business days after any change to such  
680 information.

681 (c) Provide to any member upon request a copy of the  
682 contract between the community association manager or community  
683 association management firm and the community homeowners'  
684 association and include such contract with association's  
685 official records.

686 Section 3. Section 468.4335, Florida Statutes, is amended  
687 to read:

688 468.4335 Conflicts of interest.—

689 (1) A community association manager or a community  
690 association management firm, including directors, officers, and  
691 persons with a financial interest in a community association  
692 management firm, or a relative of such persons, must disclose to  
693 the board of a community association any activity that may  
694 reasonably be construed to be a conflict of interest. A  
695 rebuttable presumption of a conflict of interest exists if any  
696 of the following occurs without prior notice:

697 (a) A community association manager or a community  
698 association management firm, including directors, officers, and  
699 persons with a financial interest in a community association  
700 management firm, or a relative of such persons, proposes to

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701 enter into a contract or other transaction with the association,  
702 or enters into a contract for goods or services with the  
703 association, for services other than community association  
704 management services.

705 (b) A community association manager or a community  
706 association management firm, including directors, officers, and  
707 persons with a financial interest in a community association  
708 management firm, or a relative of such persons, holds an  
709 interest in or receives compensation ~~or any thing of value~~ from  
710 a person as defined in s. 1.01(3) which ~~corporation, limited~~  
711 ~~liability corporation, partnership, limited liability~~  
712 ~~partnership, or other business entity that~~ conducts business  
713 with the association or proposes to enter into a contract or  
714 other transaction with the association. As used in this  
715 paragraph, the term "compensation" means any referral fee or  
716 other monetary benefit derived from a person as defined in s.  
717 1.01(3) which provides products or services to the association,  
718 and any ownership interests or profit-sharing arrangements with  
719 product or service providers recommended to or used by the  
720 association.

721 (2) If the association receives and considers a bid that  
722 exceeds \$2,500 to provide a good or service, ~~other than~~  
723 community association management services which is or may  
724 reasonably be construed to be a conflict of interest under  
725 subsection (1), ~~from a community association manager or a~~

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~~community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, the~~ association must solicit multiple bids from other third-party providers of such goods or services. This subsection does not apply to any activities or the provision of goods or services that are disclosed in the management services contract as a conflict of interest within the meaning of subsection (1).

(3) If a community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, proposes to engage in an activity that is a conflict of interest as described in subsection (1), the proposed activity must be listed on, ~~and all contracts and transactional documents related to the proposed activity must be attached to,~~ the meeting agenda of the next board of administration meeting. The notice for the meeting at which the proposed activity will be considered by the board must include a description of the proposed activity, disclose the possible conflict of interest, and include a copy of all contracts and transactional documents related to the proposed activity. The disclosures of a possible conflict of interest must be entered into the written minutes of the meeting. Approval of the contract, including a management contract between the community association and the community

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751 association manager or community association management firm, or  
752 other transaction requires an affirmative vote of two-thirds of  
753 all directors present. ~~At the next regular or special meeting of~~  
754 ~~the members, the existence of the conflict of interest and the~~  
755 ~~contract or other transaction must be disclosed to the members.~~  
756 If a community association manager or community association  
757 management firm has previously disclosed a conflict of interest  
758 in an existing management contract entered into between the  
759 board of directors and the community association manager or  
760 community association management firm, the conflict of interest  
761 does not need to be additionally noticed and voted on during the  
762 term of such management contract, but, upon renewal, must be  
763 noticed and voted on in accordance with this subsection.

764 (4) If the board finds that a community association  
765 manager or a community association management firm, including  
766 directors, officers, and persons with a financial interest in a  
767 community association management firm, or a relative of such  
768 persons, has violated this section, the contract is voidable and  
769 the association may terminate ~~cancel~~ its community association  
770 management contract with the community association manager or  
771 the community association management firm by delivery of a  
772 written notice terminating the contract. If the contract is  
773 terminated ~~canceled~~, the association is liable only for the  
774 reasonable value of the management services provided up to the  
775 time of cancellation and is not liable for any termination fees,

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776 liquidated damages, or other form of penalty for such  
777 cancellation.

778 ~~(5) If an association enters into a contract with a~~  
779 ~~community association manager or a community association~~  
780 ~~management firm, including directors, officers, and persons with~~  
781 ~~a financial interest in a community association management firm,~~  
782 ~~or a relative of such persons, which is a party to or has an~~  
783 ~~interest in an activity that is a possible conflict of interest~~  
784 ~~as described in subsection (1) and such activity has not been~~  
785 ~~properly disclosed as a conflict of interest or potential~~  
786 ~~conflict of interest as required by this section, the contract~~  
787 ~~is voidable and terminates upon the association filing a written~~  
788 ~~notice terminating the contract with its board of directors~~  
789 ~~which contains the consent of at least 20 percent of the voting~~  
790 ~~interests of the association.~~

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

794 Section 4. Present subsections (12) and (13) of section  
795 553.899, Florida Statutes, are redesignated as subsections (14)  
796 and (15), respectively, new subsections (12) and (13) are added  
797 to that section, and paragraph (a) of subsection (3) and  
798 subsection (11) of that section are amended, to read:

799 553.899 Mandatory structural inspections for condominium  
800 and cooperative buildings.—



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(3)(a) An owner or owners of a building that is three habitable stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(11) A board of county commissioners or municipal governing body shall ~~may~~ adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase

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826 two inspection report; however, such repairs must be commenced  
827 within 365 days after receiving such report. If an owner of the  
828 building fails to submit proof to the local enforcement agency  
829 that repairs have been scheduled or have commenced for  
830 substantial structural deterioration identified in a phase two  
831 inspection report within the required timeframe, the local  
832 enforcement agency must review and determine if the building is  
833 unsafe for human occupancy.

834       (12) A licensed architect or engineer who bids to perform  
835 a milestone inspection must disclose in writing to the  
836 association his or her intent to bid on any services related to  
837 any maintenance, repair, or replacement which may be recommended  
838 by the milestone inspection. Any design professional as defined  
839 in s. 558.002 or contractor licensed under chapter 489 who  
840 submits a bid to the association for performing any services  
841 recommended by the milestone inspection may not have an  
842 interest, directly or indirectly, in the firm or entity  
843 providing the milestone inspection or be a relative of any  
844 person having a direct or indirect interest in such firm, unless  
845 such relationship is disclosed to the association in writing. As  
846 used in this section, the term "relative" means a relative  
847 within the third degree of consanguinity by blood or marriage. A  
848 contract for services is voidable and terminates upon the  
849 association filing a written notice terminating the contract if  
850 the design professional or licensed contractor failed to provide

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851 the written disclosure of the relationship required under this  
852 subsection. A design professional or licensed contractor may be  
853 subject to discipline under the applicable practice act for his  
854 or her profession for failure to provide the written disclosure  
855 of the relationship, as required under this subsection.

856 (13) (a) On or before December 31 2025, and on or before  
857 each December 31 thereafter, the local enforcement agency  
858 responsible for milestone inspections shall provide the  
859 department, in an electronic format determined by the  
860 department, information that must include, but is not limited  
861 to:

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

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

866 3. The number of buildings granted an extension under  
867 paragraph (3) (c).

868 4. The number of buildings required to have a phase two  
869 milestone inspection.

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

872 6. The number, type, and value of permit applications  
873 received to complete repairs required by a phase two milestone  
874 inspection.

875 7. A list of buildings deemed to be unsafe or

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876 uninhabitable as determined by a milestone inspection.

877 8. The license number of the building code administrator  
878 responsible for milestone inspections for the local enforcement  
879 agency.

880 (b) The department shall provide to the Office of Program  
881 Policy Analysis and Government Accountability (OPPAGA) all  
882 information obtained from the local enforcement agencies under  
883 paragraph (a) by the date specified and in a manner prescribed  
884 by OPPAGA. OPPAGA may request from a local enforcement agency  
885 any additional information necessary to compile the information  
886 and provide a report to the President of the Senate and the  
887 Speaker of the House of Representatives.

888 Section 5. Present subsections (33) and (34) of section  
889 718.103, Florida Statutes, are redesignated as subsections (34)  
890 and (35), respectively, a new subsection (33) is added to that  
891 section, and subsection (1) of that section is amended, to read:

892 718.103 Definitions.—As used in this chapter, the term:

893 (1) "Alternative funding method" means a method approved  
894 by the division for funding the capital expenditures and  
895 deferred maintenance obligations for a multicondominium  
896 association ~~operating at least 25 condominiums~~ which may  
897 reasonably be expected to fully satisfy the association's  
898 reserve funding obligations by the allocation of funds in the  
899 annual operating budget.

900 (33) "Video conference" means a real-time audio and video-

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based meeting between two or more people in different locations using video-enabled and audio-enabled devices. The notice for any meeting that will be conducted by video conference must have a hyperlink and call-in conference telephone number for unit owners to attend the meeting and must have a physical location where unit owners can also attend the meeting in person. All meetings conducted by video conference must be recorded, and such recording must be maintained as an official record of the association.

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

718.110 Amendment of declaration; correction of error or omission in declaration by circuit court.—

(4)(a) Subject to paragraph (b), unless otherwise provided in the declaration as originally recorded, an ~~no~~ amendment may not change the configuration or size of any unit in any material fashion, materially alter or modify the appurtenances to the unit, or change the proportion or percentage by which the unit owner shares the common expenses of the condominium and owns the common surplus of the condominium unless the record owner of the unit and all record owners of liens on the unit join in the execution of the amendment and unless all the record owners of all other units in the same condominium approve the amendment. The acquisition of property by the association and material alterations or substantial additions to such property or the

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926 common elements by the association in accordance with s.  
927 718.111(7) or s. 718.113, and amendments providing for the  
928 transfer of use rights in limited common elements pursuant to s.  
929 718.106(2) (b) may not be considered ~~shall not be deemed to~~  
930 ~~constitute~~ a material alteration or modification of the  
931 appurtenances to the units. Except as provided in paragraph (b),  
932 a declaration recorded after April 1, 1992, may not require the  
933 approval of less than a majority of total voting interests of  
934 the condominium for amendments under this subsection, unless  
935 otherwise required by a governmental entity.

936 (b) Notwithstanding subsection (14), the declaration of a  
937 nonresidential condominium formed on or after July 1, 2025, may  
938 be amended to change the configuration or size of a unit in any  
939 material fashion, materially alter or modify the appurtenances  
940 to the unit, or change the proportion or percentage by which the  
941 unit owner shares the common expenses of the condominium and  
942 owns the common surplus of the condominium, if the record owners  
943 of all affected units and all record owners of liens on the  
944 affected units join in the execution of the amendment. The  
945 approval of the record owners of the nonaffected units in such  
946 condominium is not required.

947 (10) If there is an omission or error in a declaration of  
948 condominium, or any other document required to establish the  
949 condominium, and the omission or error would affect the valid  
950 existence of the condominium, the circuit court may entertain a

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petition of one or more of the unit owners in the condominium, or of the association, to correct the error or omission, and the action may be a class action. The court may require that one or more methods of correcting the error or omission be submitted to the unit owners to determine the most acceptable correction. All unit owners, the association, and the mortgagees of a first mortgage of record must be joined as parties to the action. Service of process on unit owners may be by publication, but the plaintiff must furnish every unit owner not personally served with process with a copy of the petition and final decree of the court by certified mail, return receipt requested, at the unit owner's ~~last known residence~~ address as reflected in the association's official records. If an action to determine whether the declaration or another condominium document complies with the mandatory requirements for the formation of a condominium is not brought within 3 years of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first, the declaration and other documents will effectively create a condominium, as of the date the declaration was recorded, regardless of whether the documents substantially comply with the mandatory requirements of law. However, both before and after the expiration of this 3-

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976 year period, the circuit court has jurisdiction to entertain a  
977 petition permitted under this subsection for the correction of  
978 the documentation, and other methods of amendment may be  
979 utilized to correct the errors or omissions at any time.

980 Section 7. Paragraph (a) of subsection (11), paragraphs  
981 (a), (c), and (g) of subsection (12), and subsection (13) of  
982 section 718.111, Florida Statutes, are amended, paragraphs (g),  
983 (h), and (i) are added to subsection (3) of that section, and  
984 subsection (16) is added to that section, to read:

985 718.111 The association.—

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

988 (g) If an association contracts with a community  
989 association manager or a community association management firm,  
990 the community association manager or community association  
991 management firm must possess all applicable licenses required by  
992 part VIII of chapter 468. All board members or officers of an  
993 association that contracts with a community association manager  
994 or a community association management firm have a duty to ensure  
995 that the community association manager or community association  
996 management firm is properly licensed before entering into a  
997 contract.

998 (h) If a contract is between a community association  
999 manager and the association, and the community association  
1000 manager has his or her license suspended or revoked during the



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term of a contract with the association, the association may terminate the contract upon delivery of a written notice to the community association manager whose license has been revoked or suspended, effective on the date the community association manager became unlicensed.

(i) If a community association management firm has its license suspended or revoked during the term of a contract with the association, the association may terminate the contract upon delivery of a written notice to the community association management firm whose license has been revoked or suspended, effective on the date the community association management firm became unlicensed.

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

(a) Every condominium association shall have adequate property insurance as determined under this paragraph, regardless of any requirement in the declaration of condominium for certain coverage by the association ~~for full insurable value, replacement cost, or similar coverage, must be based on~~

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1026 ~~the replacement cost of the property to be insured as determined~~  
1027 ~~by an independent insurance appraisal or update of a prior~~  
1028 ~~appraisal. The replacement cost must be determined at least once~~  
1029 ~~every 36 months.~~

1030 1. An association or group of associations may provide  
1031 adequate property insurance as determined under this paragraph  
1032 through a self-insurance fund that complies with the  
1033 requirements of ss. 624.460-624.488.

1034 2. The amount of adequate insurance coverage for full  
1035 insurable value, replacement cost, or similar coverage may be  
1036 based on the replacement cost of the property to be insured, as  
1037 determined by an independent insurance appraisal or an update of  
1038 a previous appraisal. The replacement cost must be determined at  
1039 least once every 3 years, at minimum.

1040 3. The association's obligation to obtain and ~~association~~  
1041 ~~may also~~ provide adequate property insurance coverage for a  
1042 group of at least three communities created and operating under  
1043 this chapter, chapter 719, chapter 720, or chapter 721 may be  
1044 satisfied by obtaining and maintaining for such communities  
1045 insurance coverage sufficient to cover an amount equal to the  
1046 probable maximum loss for the communities for a 250-year  
1047 windstorm event.

1048 a. Such probable maximum loss must be determined through  
1049 the use of a competent model that has been accepted by the  
1050 Florida Commission on Hurricane Loss Projection Methodology.

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

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

(12) OFFICIAL RECORDS.—

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

1. A copy of the plans, permits, warranties, and other items provided by the developer under s. 718.301(4).

2. A copy ~~photocopy~~ of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A copy ~~photocopy~~ of the recorded bylaws of the

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1076 association and each amendment to the bylaws.

1077       4. A certified copy of the articles of incorporation of  
1078 the association, or other documents creating the association,  
1079 and each amendment thereto.

1080       5. A copy of the current rules of the association.

1081       6. A book or books or electronic records that contain the  
1082 minutes of all meetings of the association, the board of  
1083 administration, any committee, and the unit owners, and a  
1084 recording of all such meetings that are conducted by video  
1085 conference. If there are approved minutes for a meeting held by  
1086 video conference, recordings of meetings that are conducted by  
1087 video conference must be maintained for at least 1 year after  
1088 the date the video recording is posted as required under  
1089 paragraph (g).

1090       7. A current roster of all unit owners and their mailing  
1091 addresses, unit identifications, voting certifications, and, if  
1092 known, telephone numbers. The association shall also maintain  
1093 the e-mail addresses and facsimile numbers of unit owners  
1094 consenting to receive notice by electronic transmission. In  
1095 accordance with sub-subparagraph (c)5.e., the e-mail addresses  
1096 and facsimile numbers are only accessible to unit owners if  
1097 consent to receive notice by electronic transmission is  
1098 provided, or if the unit owner has expressly indicated that such  
1099 personal information can be shared with other unit owners and  
1100 the unit owner has not provided the association with a request

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1101 to opt out of such dissemination with other unit owners. An  
1102 association must ensure that the e-mail addresses and facsimile  
1103 numbers are only used for the business operation of the  
1104 association and may not be sold or shared with outside third  
1105 parties. If such personal information is included in documents  
1106 that are released to third parties, other than unit owners, the  
1107 association must redact such personal information before the  
1108 document is disseminated. However, the association is not liable  
1109 for an inadvertent disclosure of the e-mail address or facsimile  
1110 number for receiving electronic transmission of notices unless  
1111 such disclosure was made with a knowing or intentional disregard  
1112 of the protected nature of such information.

1113       8. All current insurance policies of the association and  
1114 condominiums operated by the association.

1115       9. A current copy of any management agreement, lease, or  
1116 other contract to which the association is a party or under  
1117 which the association or the unit owners have an obligation or  
1118 responsibility.

1119       10. Bills of sale or transfer for all property owned by  
1120 the association.

1121       11. Accounting records for the association and separate  
1122 accounting records for each condominium that the association  
1123 operates. Any person who knowingly or intentionally defaces or  
1124 destroys such records, or who knowingly or intentionally fails  
1125 to create or maintain such records, with the intent of causing

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harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(e). The accounting records must include, but are not limited to:

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

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

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

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

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

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners,

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which must be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

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

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

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

16. Bids for materials, equipment, or services.

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

18. A copy of all building permits.

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

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

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

(c)1.a. The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such

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1176 member at all reasonable times. The right to inspect the records  
1177 includes the right to make or obtain copies, at the reasonable  
1178 expense, if any, of the member and of the person authorized by  
1179 the association member as a representative of such member. A  
1180 renter of a unit has a right to inspect and copy only the  
1181 declaration of condominium, the association's bylaws and rules,  
1182 and the inspection reports described in ss. 553.899 and  
1183 718.301(4)(p). The association may adopt reasonable rules  
1184 regarding the frequency, time, location, notice, and manner of  
1185 record inspections and copying but may not require a member to  
1186 demonstrate any purpose or state any reason for the inspection.  
1187 The failure of an association to provide the records within 10  
1188 working days after receipt of a written request creates a  
1189 rebuttable presumption that the association willfully failed to  
1190 comply with this paragraph. A unit owner who is denied access to  
1191 official records is entitled to the actual damages or minimum  
1192 damages for the association's willful failure to comply. Minimum  
1193 damages are \$50 per calendar day for up to 10 days, beginning on  
1194 the 11th working day after receipt of the written request. The  
1195 failure to permit inspection entitles any person prevailing in  
1196 an enforcement action to recover reasonable attorney fees from  
1197 the person in control of the records who, directly or  
1198 indirectly, knowingly denied access to the records. If the  
1199 requested records are posted on an association's website, or are  
1200 available for download through an application on a mobile



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1201 device, the association may fulfill its obligations under this  
1202 paragraph by directing to the website or the application all  
1203 persons authorized to request access.

1204       b. In response to a written request to inspect records,  
1205 the association must simultaneously provide to the requestor a  
1206 checklist of all records made available for inspection and  
1207 copying. The checklist must also identify any of the  
1208 association's official records that were not made available to  
1209 the requestor. An association must maintain a checklist provided  
1210 under this sub-subparagraph for 7 years. An association  
1211 delivering a checklist pursuant to this sub-subparagraph creates  
1212 a rebuttable presumption that the association has complied with  
1213 this paragraph.

1214       2. A director or member of the board or association or a  
1215 community association manager who willfully and knowingly or  
1216 intentionally ~~knowingly, willfully, and repeatedly~~ violates  
1217 subparagraph 1. commits a misdemeanor of the second degree,  
1218 punishable as provided in s. 775.082 or s. 775.083, and must be  
1219 removed from office and a vacancy declared. ~~For purposes of this~~  
1220 ~~subparagraph, the term "repeatedly" means two or more violations~~  
1221 ~~within a 12-month period.~~

1222       3. ~~A~~ Any person who willfully and knowingly or  
1223 intentionally defaces or destroys accounting records that are  
1224 required by this chapter to be maintained during the period for  
1225 which such records are required to be maintained, or who

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1226 willfully and knowingly or intentionally fails to create or  
1227 maintain accounting records that are required to be created or  
1228 maintained, with the intent of causing harm to the association  
1229 or one or more of its members, commits a misdemeanor of the  
1230 first degree, punishable as provided in s. 775.082 or s.  
1231 775.083; is personally subject to a civil penalty pursuant to s.  
1232 718.501(1)(d); and must be removed from office and a vacancy  
1233 declared.

1234 4. A person who willfully and knowingly or intentionally  
1235 refuses to release or otherwise produce association records with  
1236 the intent to avoid or escape detection, arrest, trial, or  
1237 punishment for the commission of a crime, or to assist another  
1238 person with such avoidance or escape, commits a felony of the  
1239 third degree, punishable as provided in s. 775.082, s. 775.083,  
1240 or s. 775.084, and must be removed from office and a vacancy  
1241 declared.

1242 5. The association shall maintain an adequate number of  
1243 copies of the declaration, articles of incorporation, bylaws,  
1244 and rules, and all amendments to each of the foregoing, as well  
1245 as the question and answer sheet as described in s. 718.504 and  
1246 the most recent annual financial statement and annual budget  
1247 ~~year-end financial information~~ required under this section, on  
1248 the condominium property to ensure their availability to unit  
1249 owners and prospective purchasers, and may charge its actual  
1250 costs for preparing and furnishing these documents to those

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1251 requesting the documents. An association shall allow a member or  
1252 his or her authorized representative to use a portable device,  
1253 including a smartphone, tablet, portable scanner, or any other  
1254 technology capable of scanning or taking photographs, to make an  
1255 electronic copy of the official records in lieu of the  
1256 association's providing the member or his or her authorized  
1257 representative with a copy of such records. The association may  
1258 not charge a member or his or her authorized representative for  
1259 the use of a portable device. Notwithstanding this paragraph,  
1260 the following records are not accessible to unit owners:

1261       a. Any record protected by the lawyer-client privilege as  
1262 described in s. 90.502 and any record protected by the work-  
1263 product privilege, including a record prepared by an association  
1264 attorney or prepared at the attorney's express direction, which  
1265 reflects a mental impression, conclusion, litigation strategy,  
1266 or legal theory of the attorney or the association, and which  
1267 was prepared exclusively for civil or criminal litigation or for  
1268 adversarial administrative proceedings, or which was prepared in  
1269 anticipation of such litigation or proceedings until the  
1270 conclusion of the litigation or proceedings.

1271       b. Information obtained by an association in connection  
1272 with the approval of the lease, sale, or other transfer of a  
1273 unit.

1274       c. Personnel records of association or management company  
1275 employees, including, but not limited to, disciplinary, payroll,

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health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is

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voluntarily provided by an owner and not requested by the association.

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

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

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

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

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

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

(II) A website, application, or web portal operated by a

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1326 third-party provider with whom the association owns, leases,  
1327 rents, or otherwise obtains the right to operate a web page,  
1328 subpage, web portal, collection of subpages or web portals, or  
1329 an application which is dedicated to the association's  
1330 activities and on which required notices, records, and documents  
1331 may be posted or made available by the association.

1332 b. The association's website or application must be  
1333 accessible through the Internet and must contain a subpage, web  
1334 portal, or other protected electronic location that is  
1335 inaccessible to the general public and accessible only to unit  
1336 owners and employees of the association.

1337 c. Upon a unit owner's written request, the association  
1338 must provide the unit owner with a username and password and  
1339 access to the protected sections of the association's website or  
1340 application which contain any notices, records, or documents  
1341 that must be electronically provided.

1342 2. A current copy of the following documents must be  
1343 posted in digital format on the association's website or  
1344 application:

1345 a. The recorded declaration of condominium of each  
1346 condominium operated by the association and each amendment to  
1347 each declaration.

1348 b. The recorded bylaws of the association and each  
1349 amendment to the bylaws.

1350 c. The articles of incorporation of the association, or

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1351 other documents creating the association, and each amendment to  
1352 the articles of incorporation or other documents. The copy  
1353 posted pursuant to this sub-subparagraph must be a copy of the  
1354 articles of incorporation filed with the Department of State.

1355 d. The rules of the association.

1356 e. The approved minutes of all board of administration  
1357 meetings over the preceding 12 months.

1358 f. The video recording or a hyperlink to the video  
1359 recording for all meetings of the association, the board of  
1360 administration, any committee, and the unit owners which are  
1361 conducted by video conference over the preceding 12 months.

1362 ~~g.e.~~ A list of all executory contracts or documents to  
1363 which the association is a party or under which the association  
1364 or the unit owners have an obligation or responsibility and,  
1365 after bidding for the related materials, equipment, or services  
1366 has closed, a list of bids received by the association within  
1367 the past year. Summaries of bids for materials, equipment, or  
1368 services which exceed \$500 must be maintained on the website or  
1369 application for 1 year. In lieu of summaries, complete copies of  
1370 the bids may be posted.

1371 ~~h.f.~~ The annual budget required by s. 718.112(2)(f) and  
1372 any proposed budget to be considered at the annual meeting.

1373 ~~i.g.~~ The financial report required by subsection (13) and  
1374 any monthly income or expense statement to be considered at a  
1375 meeting.

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1376        ~~j.h.~~ The certification of each director required by s.  
1377 718.112(2)(d)4.b.

1378        ~~k.i.~~ All contracts or transactions between the association  
1379 and any director, officer, corporation, firm, or association  
1380 that is not an affiliated condominium association or any other  
1381 entity in which an association director is also a director or  
1382 officer and financially interested.

1383        ~~l.j.~~ Any contract or document regarding a conflict of  
1384 interest or possible conflict of interest as provided in ss.  
1385 468.4335, 468.436(2)(b)6., and 718.3027(3).

1386        ~~m.k.~~ The notice of any unit owner meeting and the agenda  
1387 for the meeting, as required by s. 718.112(2)(d)3., no later  
1388 than 14 days before the meeting. The notice must be posted in  
1389 plain view on the front page of the website or application, or  
1390 on a separate subpage of the website or application labeled  
1391 "Notices" which is conspicuously visible and linked from the  
1392 front page. The association must also post on its website or  
1393 application any document to be considered and voted on by the  
1394 owners during the meeting or any document listed on the agenda  
1395 at least 7 days before the meeting at which the document or the  
1396 information within the document will be considered.

1397        ~~n.l.~~ Notice of any board meeting, the agenda, and any  
1398 other document required for the meeting as required by s.  
1399 718.112(2)(c), which must be posted no later than the date  
1400 required for notice under s. 718.112(2)(c).



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1401       ~~o.m.~~ The inspection reports described in ss. 553.899 and  
1402 718.301(4) (p) and any other inspection report relating to a  
1403 structural or life safety inspection of condominium property.

1404       ~~p.n.~~ The association's most recent structural integrity  
1405 reserve study, if applicable.

1406       ~~q.e.~~ Copies of all building permits issued for ongoing or  
1407 planned construction.

1408       r. A copy of all affidavits required by this chapter.

1409       3. The association shall ensure that the information and  
1410 records described in paragraph (c), which are not allowed to be  
1411 accessible to unit owners, are not posted on the association's  
1412 website or application. If protected information or information  
1413 restricted from being accessible to unit owners is included in  
1414 documents that are required to be posted on the association's  
1415 website or application, the association shall ensure the  
1416 information is redacted before posting the documents.  
1417 Notwithstanding the foregoing, the association or its agent is  
1418 not liable for disclosing information that is protected or  
1419 restricted under this paragraph unless such disclosure was made  
1420 with a knowing or intentional disregard of the protected or  
1421 restricted nature of such information.

1422       4. The failure of the association to post information  
1423 required under subparagraph 2. is not in and of itself  
1424 sufficient to invalidate any action or decision of the  
1425 association's board or its committees.

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1426 (13) FINANCIAL REPORTING.—Within 90 days after the end of  
1427 the fiscal year, or annually on a date provided in the bylaws,  
1428 the association shall prepare and complete, or contract for the  
1429 preparation and completion of, a financial report for the  
1430 preceding fiscal year. Within 21 days after the final financial  
1431 report is completed by the association or received from the  
1432 third party, but not later than 180 ~~120~~ days after the end of  
1433 the fiscal year or other date as provided in the bylaws, the  
1434 association shall deliver to each unit owner by United States  
1435 mail or personal delivery at the mailing address, property  
1436 address, e-mail address, or facsimile number provided to fulfill  
1437 the association's notice requirements, a copy of the most recent  
1438 financial report, or ~~and~~ a notice that a copy of the most recent  
1439 financial report will be, as requested by the owner, mailed, or  
1440 hand delivered, or electronically delivered via the Internet to  
1441 the unit owner, without charge, within 5 business days after  
1442 receipt of a written request from the unit owner. Evidence of  
1443 compliance with this delivery requirement must be made by an  
1444 affidavit executed by an officer or director of the association.  
1445 The division shall adopt rules setting forth uniform accounting  
1446 principles and standards to be used by all associations and  
1447 addressing the financial reporting requirements for  
1448 multicondominium associations. The rules must include, but not  
1449 be limited to, standards for presenting a summary of association  
1450 reserves, including a good faith estimate disclosing the annual

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1451 amount of reserve funds that would be necessary for the  
1452 association to fully fund reserves for each reserve item based  
1453 on the straight-line accounting method. This disclosure is not  
1454 applicable to reserves funded via the pooling method. In  
1455 adopting such rules, the division shall consider the number of  
1456 members and annual revenues of an association. Financial reports  
1457 shall be prepared as follows:

1458 (a) An association that meets the criteria of this  
1459 paragraph shall prepare a complete set of financial statements  
1460 in accordance with generally accepted accounting principles. The  
1461 financial statements must be based upon the association's total  
1462 annual revenues, as follows:

1463 1. An association with total annual revenues of \$150,000  
1464 or more, but less than \$300,000, shall prepare compiled  
1465 financial statements.

1466 2. An association with total annual revenues of at least  
1467 \$300,000, but less than \$500,000, shall prepare reviewed  
1468 financial statements.

1469 3. An association with total annual revenues of \$500,000  
1470 or more shall prepare audited financial statements.

1471 (b)1. An association with total annual revenues of less  
1472 than \$150,000 shall prepare a report of cash receipts and  
1473 expenditures.

1474 2. A report of cash receipts and disbursements must  
1475 disclose the amount of receipts by accounts and receipt

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classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital expenditures, deferred maintenance, and any other category for which the association maintains reserves.

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

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

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

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

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

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

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

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

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

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1526 of the association.

1527 (e) A unit owner may provide written notice to the  
1528 division of the association's failure to mail or hand deliver  
1529 him or her a copy of the most recent financial report within 5  
1530 business days after he or she submitted a written request to the  
1531 association for a copy of such report. If the division  
1532 determines that the association failed to mail or hand deliver a  
1533 copy of the most recent financial report to the unit owner, the  
1534 division shall provide written notice to the association that  
1535 the association must mail or hand deliver a copy of the most  
1536 recent financial report to the unit owner and the division  
1537 within 5 business days after it receives such notice from the  
1538 division. An association that fails to comply with the  
1539 division's request may not waive the financial reporting  
1540 requirement provided in paragraph (d) for the fiscal year in  
1541 which the unit owner's request was made and the following fiscal  
1542 year. A financial report received by the division pursuant to  
1543 this paragraph shall be maintained, and the division shall  
1544 provide a copy of such report to an association member upon his  
1545 or her request.

1546 (16) INVESTMENT OF ASSOCIATION FUNDS.—

1547 (a) A board shall, in fulfilling its duty to manage  
1548 operating and reserve funds of its association, use best efforts  
1549 to make prudent investment decisions that carefully consider  
1550 risk and return in an effort to maximize returns on invested

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1551 funds.

1552 (b) An association, including a multicondominium  
1553 association, may invest reserve funds in one or any combination  
1554 of certificates of deposit or in depository accounts at a  
1555 community bank, savings bank, commercial bank, savings and loan  
1556 association, or credit union without a vote of the unit owners.

1557 Section 8. Paragraphs (b) through (g) of subsection (2) of  
1558 section 718.112, Florida Statutes, are amended to read:

1559 718.112 Bylaws.—

1560 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the  
1561 following and, if they do not do so, shall be deemed to include  
1562 the following:

1563 (b) *Quorum; voting requirements; proxies.*—

1564 1. Unless a lower number is provided in the bylaws, the  
1565 percentage of voting interests required to constitute a quorum  
1566 at a meeting of the members is a majority of the voting  
1567 interests. Unless otherwise provided in this chapter or in the  
1568 declaration, articles of incorporation, or bylaws, and except as  
1569 provided in subparagraph (d)4., decisions shall be made by a  
1570 majority of the voting interests represented at a meeting at  
1571 which a quorum is present.

1572 2. Except as specifically otherwise provided herein, unit  
1573 owners in a residential condominium may not vote by general  
1574 proxy, but may vote by limited proxies substantially conforming  
1575 to a limited proxy form adopted by the division. A voting

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1576 interest or consent right allocated to a unit owned by the  
1577 association may not be exercised or considered for any purpose,  
1578 whether for a quorum, an election, or otherwise. Limited proxies  
1579 and general proxies may be used to establish a quorum. Limited  
1580 proxies shall be used for votes taken to waive or reduce  
1581 reserves in accordance with subparagraph (f)2.; for votes taken  
1582 to waive the financial reporting requirements of s. 718.111(13);  
1583 for votes taken to amend the declaration pursuant to s. 718.110;  
1584 for votes taken to amend the articles of incorporation or bylaws  
1585 pursuant to this section; and for any other matter for which  
1586 this chapter requires or permits a vote of the unit owners.  
1587 Except as provided in paragraph (d), a proxy, limited or  
1588 general, may not be used in the election of board members in a  
1589 residential condominium. General proxies may be used for other  
1590 matters for which limited proxies are not required, and may be  
1591 used in voting for nonsubstantive changes to items for which a  
1592 limited proxy is required and given. Notwithstanding this  
1593 subparagraph, unit owners may vote in person at unit owner  
1594 meetings. This subparagraph does not limit the use of general  
1595 proxies or require the use of limited proxies for any agenda  
1596 item or election at any meeting of a timeshare condominium  
1597 association or a nonresidential condominium association.

1598 3. A proxy given is effective only for the specific  
1599 meeting for which originally given and any lawfully adjourned  
1600 meetings thereof. A proxy is not valid longer than 90 days after



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1601 the date of the first meeting for which it was given. Each proxy  
1602 is revocable at any time at the pleasure of the unit owner  
1603 executing it.

1604 4. A member of the board of administration or a committee  
1605 may submit in writing his or her agreement or disagreement with  
1606 any action taken at a meeting that the member did not attend.  
1607 This agreement or disagreement may not be used as a vote for or  
1608 against the action taken or to create a quorum.

1609 5. A board meeting may be conducted in person or by video  
1610 conference. A board or committee member's participation in a  
1611 meeting via telephone, real-time videoconferencing, or similar  
1612 real-time electronic or video communication counts toward a  
1613 quorum, and such member may vote as if physically present. A  
1614 speaker must be used so that the conversation of such members  
1615 may be heard by the board or committee members attending in  
1616 person as well as by any unit owners present at a meeting. The  
1617 division shall adopt rules pursuant to ss. 120.536 and 120.54  
1618 governing the requirements for meetings.

1619 (c) *Board of administration meetings.*—In a residential  
1620 condominium association of more than 10 units, the board of  
1621 administration shall meet at least once each quarter. At least  
1622 four times each year, the meeting agenda must include an  
1623 opportunity for members to ask questions of the board. Meetings  
1624 of the board of administration at which a quorum of the members  
1625 is present are open to all unit owners. Members of the board of

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administration may use e-mail as a means of communication but may not cast a vote on an association matter via e-mail. A unit owner may tape record or videotape the meetings. The right to attend such meetings includes the right to speak at such meetings with reference to all designated agenda items and the right to ask questions relating to reports on the status of construction or repair projects, the status of revenues and expenditures during the current fiscal year, and other issues affecting the condominium. The division shall adopt reasonable rules governing the tape recording and videotaping of the meeting. The association may adopt written reasonable rules governing the frequency, duration, and manner of unit owner statements.

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

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percent of the voting interests petition the board to address an item of business, the board, within 60 days after receipt of the petition, shall place the item on the agenda at its next regular board meeting or at a special meeting called for that purpose.

An item not included on the notice may be taken up on an emergency basis by a vote of at least a majority plus one of the board members. Such emergency action must be noticed and ratified at the next regular board meeting. Written notice of a meeting at which a nonemergency special assessment or an amendment to rules regarding unit use will be considered must be mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the condominium property at least 14 days before the meeting. Evidence of compliance with this 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.

2. Upon notice to the unit owners, the board shall, by duly adopted rule, designate a specific location on the condominium property at which all notices of board meetings must be posted. If there is no condominium property at which notices can be posted, notices shall be mailed, delivered, or electronically transmitted to each unit owner at least 14 days before the meeting. In lieu of or in addition to the physical posting of the notice on the condominium property, the association may, by reasonable rule, adopt a procedure for

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conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. However, if broadcast notice is used in lieu of a notice physically posted on condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section. If broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. In addition to any of the authorized means of providing notice of a meeting of the board, the association may, by rule, adopt a procedure for conspicuously posting the meeting notice and the agenda on a website serving the condominium association for at least the minimum period of time for which a notice of a meeting is also required to be physically posted on the condominium property. Any rule adopted shall, in addition to other matters, include a requirement that the association send an electronic notice in the same manner as a notice for a meeting of the members, which must include a hyperlink to the website at which the notice is posted, to unit owners whose e-mail addresses are included in the association's official records.

3. Notice of any meeting in which regular or special assessments against unit owners are to be considered must

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specifically state that assessments will be considered and provide the estimated cost and description of the purposes for such assessments. If an agenda item relates to the approval of a contract for goods or services, a copy of the contract must be provided with the notice and be made available for inspection and copying upon a written request from a unit owner or made available on the association's website or through an application that can be downloaded on a mobile device.

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

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

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

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

(d) *Unit owner meetings.*—

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1726           1. An annual meeting of the unit owners must be held at  
1727 the location provided in the association bylaws and, if the  
1728 bylaws are silent as to the location, the meeting must be held  
1729 within 15 ~~45~~ miles of the condominium property or within the  
1730 same county as the condominium property. However, such distance  
1731 requirement does not apply to an association governing a  
1732 timeshare condominium. If a unit owner meeting is conducted via  
1733 video conference, a unit owner may vote electronically in the  
1734 manner provided in s. 718.128.

1735           2. Unit owner meetings, including the annual meeting of  
1736 the unit owners, may be conducted in person or via video  
1737 conference. If the annual meeting of the unit owners is  
1738 conducted via video conference, a quorum of the members of the  
1739 board of administration must be physically present at the  
1740 physical location where unit owners can attend the meeting. The  
1741 location must be provided in the association bylaws and, if the  
1742 bylaws are silent as to the location, the meeting must be held  
1743 within 15 miles of the condominium property or within the same  
1744 county as the condominium property. If the unit owner meeting is  
1745 conducted via video conference, the video conference must be  
1746 recorded and such recording must be maintained as an official  
1747 record of the association. The division shall adopt rules  
1748 pursuant to ss. 120.536 and 120.54 governing the requirements  
1749 for meetings.

1750           ~~3.2.~~ Unless the bylaws provide otherwise, a vacancy on the

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1751 board caused by the expiration of a director's term must be  
1752 filled by electing a new board member, and the election must be  
1753 by secret ballot. An election is not required if the number of  
1754 vacancies equals or exceeds the number of candidates. For  
1755 purposes of this paragraph, the term "candidate" means an  
1756 eligible person who has timely submitted the written notice, as  
1757 described in sub-subparagraph 4.a., of his or her intention to  
1758 become a candidate. Except in a timeshare or nonresidential  
1759 condominium, or if the staggered term of a board member does not  
1760 expire until a later annual meeting, or if all members' terms  
1761 would otherwise expire but there are no candidates, the terms of  
1762 all board members expire at the annual meeting, and such members  
1763 may stand for reelection unless prohibited by the bylaws. Board  
1764 members may serve terms longer than 1 year if permitted by the  
1765 bylaws or articles of incorporation. A board member may not  
1766 serve more than 8 consecutive years unless approved by an  
1767 affirmative vote of unit owners representing two-thirds of all  
1768 votes cast in the election or unless there are not enough  
1769 eligible candidates to fill the vacancies on the board at the  
1770 time of the vacancy. Only board service that occurs on or after  
1771 July 1, 2018, may be used when calculating a board member's term  
1772 limit. If the number of board members whose terms expire at the  
1773 annual meeting equals or exceeds the number of candidates, the  
1774 candidates become members of the board effective upon the  
1775 adjournment of the annual meeting. Unless the bylaws provide

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1776 otherwise, any remaining vacancies shall be filled by the  
1777 affirmative vote of the majority of the directors making up the  
1778 newly constituted board even if the directors constitute less  
1779 than a quorum or there is only one director. In a residential  
1780 condominium association of more than 10 units or in a  
1781 residential condominium association that does not include  
1782 timeshare units or timeshare interests, co-owners of a unit may  
1783 not serve as members of the board of directors at the same time  
1784 unless they own more than one unit or unless there are not  
1785 enough eligible candidates to fill the vacancies on the board at  
1786 the time of the vacancy. A unit owner in a residential  
1787 condominium desiring to be a candidate for board membership must  
1788 comply with sub-subparagraph 4.a. and must be eligible to be a  
1789 candidate to serve on the board of directors at the time of the  
1790 deadline for submitting a notice of intent to run in order to  
1791 have his or her name listed as a proper candidate on the ballot  
1792 or to serve on the board. A person who has been suspended or  
1793 removed by the division under this chapter, or who is delinquent  
1794 in the payment of any assessment due to the association, is not  
1795 eligible to be a candidate for board membership and may not be  
1796 listed on the ballot. For purposes of this paragraph, a person  
1797 is delinquent if a payment is not made by the due date as  
1798 specifically identified in the declaration of condominium,  
1799 bylaws, or articles of incorporation. If a due date is not  
1800 specifically identified in the declaration of condominium,



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1801 bylaws, or articles of incorporation, the due date is the first  
1802 day of the assessment period. A person who has been convicted of  
1803 any felony in this state or in a United States District or  
1804 Territorial Court, or who has been convicted of any offense in  
1805 another jurisdiction which would be considered a felony if  
1806 committed in this state, is not eligible for board membership  
1807 unless such felon's civil rights have been restored for at least  
1808 5 years as of the date such person seeks election to the board.  
1809 The validity of an action by the board is not affected if it is  
1810 later determined that a board member is ineligible for board  
1811 membership due to having been convicted of a felony. This  
1812 subparagraph does not limit the term of a member of the board of  
1813 a nonresidential or timeshare condominium.

1814 4.3. The bylaws must provide the method of calling  
1815 meetings of unit owners, including annual meetings. Written  
1816 notice of an annual meeting must include an agenda; be mailed,  
1817 hand delivered, or electronically transmitted to each unit owner  
1818 at least 14 days before the annual meeting; and be posted in a  
1819 conspicuous place on the condominium property or association  
1820 property at least 14 continuous days before the annual meeting.  
1821 Written notice of a meeting other than an annual meeting must  
1822 include an agenda; be mailed, hand delivered, or electronically  
1823 transmitted to each unit owner; and be posted in a conspicuous  
1824 place on the condominium property or association property within  
1825 the timeframe specified in the bylaws. If the bylaws do not

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1826 specify a timeframe for written notice of a meeting other than  
1827 an annual meeting, notice must be provided at least 14  
1828 continuous days before the meeting. Upon notice to the unit  
1829 owners, the board shall, by duly adopted rule, designate a  
1830 specific location on the condominium property or association  
1831 property at which all notices of unit owner meetings must be  
1832 posted. This requirement does not apply if there is no  
1833 condominium property for posting notices. ~~In lieu of, or in~~ In  
1834 addition to, the physical posting of meeting notices, the  
1835 association may, by reasonable rule, adopt a procedure for  
1836 conspicuously posting and repeatedly broadcasting the notice and  
1837 the agenda on a closed-circuit cable television system serving  
1838 the condominium association. ~~However, if broadcast notice is~~  
1839 ~~used in lieu of a notice posted physically on the condominium~~  
1840 ~~property, the notice and agenda must be broadcast at least four~~  
1841 ~~times every broadcast hour of each day that a posted notice is~~  
1842 ~~otherwise required under this section.~~ If broadcast notice is  
1843 provided, the notice and agenda must be broadcast in a manner  
1844 and for a sufficient continuous length of time so as to allow an  
1845 average reader to observe the notice and read and comprehend the  
1846 entire content of the notice and the agenda. In addition to any  
1847 of the authorized means of providing notice of a meeting of the  
1848 board, the association may, by rule, adopt a procedure for  
1849 conspicuously posting the meeting notice and the agenda on a  
1850 website serving the condominium association for at least the

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1851 minimum period of time for which a notice of a meeting is also  
1852 required to be physically posted on the condominium property.  
1853 Any rule adopted shall, in addition to other matters, include a  
1854 requirement that the association send an electronic notice in  
1855 the same manner as a notice for a meeting of the members, which  
1856 must include a hyperlink to the website at which the notice is  
1857 posted, to unit owners whose e-mail addresses are included in  
1858 the association's official records. Unless a unit owner waives  
1859 in writing the right to receive notice of the annual meeting,  
1860 such notice must be hand delivered, mailed, or electronically  
1861 transmitted to each unit owner. Notice for meetings and notice  
1862 for all other purposes must be mailed to each unit owner at the  
1863 address last furnished to the association by the unit owner, or  
1864 hand delivered to each unit owner. However, if a unit is owned  
1865 by more than one person, the association must provide notice to  
1866 the address that the developer identifies for that purpose and  
1867 thereafter as one or more of the owners of the unit advise the  
1868 association in writing, or if no address is given or the owners  
1869 of the unit do not agree, to the address provided on the deed of  
1870 record. An officer of the association, or the manager or other  
1871 person providing notice of the association meeting, must provide  
1872 an affidavit or United States Postal Service certificate of  
1873 mailing, to be included in the official records of the  
1874 association affirming that the notice was mailed or hand  
1875 delivered in accordance with this provision.

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1876        ~~5.4.~~ The members of the board of a residential condominium  
1877 shall be elected by written ballot or voting machine. Proxies  
1878 may not be used in electing the board in general elections or  
1879 elections to fill vacancies caused by recall, resignation, or  
1880 otherwise, unless otherwise provided in this chapter. This  
1881 subparagraph does not apply to an association governing a  
1882 timeshare condominium.

1883        a. At least 60 days before a scheduled election, the  
1884 association shall mail, deliver, or electronically transmit, by  
1885 separate association mailing or included in another association  
1886 mailing, delivery, or transmission, including regularly  
1887 published newsletters, to each unit owner entitled to a vote, a  
1888 first notice of the date of the election. A unit owner or other  
1889 eligible person desiring to be a candidate for the board must  
1890 give written notice of his or her intent to be a candidate to  
1891 the association at least 40 days before a scheduled election.  
1892 Together with the written notice and agenda as set forth in  
1893 subparagraph 3., the association shall mail, deliver, or  
1894 electronically transmit a second notice of the election to all  
1895 unit owners entitled to vote, together with a ballot that lists  
1896 all candidates not less than 14 days or more than 34 days before  
1897 the date of the election. Upon request of a candidate, an  
1898 information sheet, no larger than 8 1/2 inches by 11 inches,  
1899 which must be furnished by the candidate at least 35 days before  
1900 the election, must be included with the mailing, delivery, or

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transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the association. The association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the association may print or duplicate the information sheets on both sides of the paper. The division shall by rule establish voting procedures consistent with this sub-subparagraph, including rules establishing procedures for giving notice by electronic transmission and rules providing for the secrecy of ballots. Elections shall be decided by a plurality of ballots cast. There is no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election. A unit owner may not authorize any other person to vote his or her ballot, and any ballots improperly cast are invalid. A unit owner who violates this provision may be fined by the association in accordance with s. 718.303. A unit owner who needs assistance in casting the ballot for the reasons stated in s. 101.051 may obtain such assistance. The regular election must occur on the date of the annual meeting. Notwithstanding this sub-subparagraph, an election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

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

(I) Certify in writing to the secretary of the association

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that he or she has read the association's declaration of condominium, articles of incorporation, bylaws, and current written policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members.

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

Each newly elected or appointed director must submit to the secretary of the association the written certification and educational certificate within 1 year before being elected or appointed or 90 days after the date of election or appointment. A director of an association of a residential condominium who was elected or appointed before July 1, 2024, must comply with the written certification and educational certificate requirements in this sub-subparagraph by June 30, 2025. The written certification and educational certificate is valid for 7 years after the date of issuance and does not have to be

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resubmitted as long as the director serves on the board without interruption during the 7-year period. A director who is appointed by the developer may satisfy the educational certificate requirement in sub-sub-subparagraph (II) for any subsequent appointment to a board by a developer within 7 years after the date of issuance of the most recent educational certificate, including any interruption of service on a board or appointment to a board in another association within that 7-year period. One year after submission of the most recent written certification and educational certificate, and annually thereafter, a director of an association of a residential condominium must submit to the secretary of the association a certificate of having satisfactorily completed at least 1 hour of continuing education administered by the division, or a division-approved condominium education provider, relating to any recent changes to this chapter and the related administrative rules during the past year. A director of an association of a residential condominium who fails to timely file the written certification and educational certificate is suspended from service on the board until he or she complies with this sub-subparagraph. The board may temporarily fill the vacancy during the period of suspension. The secretary shall cause the association to retain a director's written certification and educational certificate for inspection by the members for 7 years after a director's election or the duration

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of the director's uninterrupted tenure, whichever is longer.  
Failure to have such written certification and educational  
certificate on file does not affect the validity of any board  
action.

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

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

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



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2001 responsible for removing or bypassing filters that block receipt  
2002 of mass e-mails sent to members on behalf of the association in  
2003 the course of giving electronic notices.

2004     ~~8.7.~~ Unit owners have the right to participate in meetings  
2005 of unit owners with reference to all designated agenda items.  
2006 However, the association may adopt reasonable rules governing  
2007 the frequency, duration, and manner of unit owner participation.

2008     ~~9.8.~~ A unit owner may tape record or videotape a meeting  
2009 of the unit owners subject to reasonable rules adopted by the  
2010 division.

2011     ~~10.9.~~ Unless otherwise provided in the bylaws, any vacancy  
2012 occurring on the board before the expiration of a term may be  
2013 filled by the affirmative vote of the majority of the remaining  
2014 directors, even if the remaining directors constitute less than  
2015 a quorum, or by the sole remaining director. In the alternative,  
2016 a board may hold an election to fill the vacancy, in which case  
2017 the election procedures must conform to sub-subparagraph 4.a.  
2018 unless the association governs 10 units or fewer and has opted  
2019 out of the statutory election process, in which case the bylaws  
2020 of the association control. Unless otherwise provided in the  
2021 bylaws, a board member appointed or elected under this section  
2022 shall fill the vacancy for the unexpired term of the seat being  
2023 filled. Filling vacancies created by recall is governed by  
2024 paragraph (1) and rules adopted by the division.

2025     ~~11.10.~~ This chapter does not limit the use of general or

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2026 limited proxies, require the use of general or limited proxies,  
2027 or require the use of a written ballot or voting machine for any  
2028 agenda item or election at any meeting of a timeshare  
2029 condominium association or nonresidential condominium  
2030 association.

2031  
2032 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an  
2033 association of 10 or fewer units may, by affirmative vote of a  
2034 majority of the total voting interests, provide for different  
2035 voting and election procedures in its bylaws, which may be by a  
2036 proxy specifically delineating the different voting and election  
2037 procedures. The different voting and election procedures may  
2038 provide for elections to be conducted by limited or general  
2039 proxy.

2040 (e) *Budget meeting.*—

2041 1. Any meeting at which a proposed annual budget of an  
2042 association will be considered by the board or unit owners shall  
2043 be open to all unit owners. A meeting of the board or unit  
2044 owners at which a proposed annual association budget will be  
2045 considered may be conducted by video conference. The division  
2046 shall adopt rules pursuant to ss. 120.536 and 120.54 governing  
2047 the requirements for such meetings. A sound transmitting device  
2048 must be used so that the conversation of such members may be  
2049 heard by the board or committee members attending in person, as  
2050 well as any unit owners present at the meeting. At least 14 days

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2051 before ~~prior to~~ such a meeting, the board shall hand deliver to  
2052 each unit owner, mail to each unit owner at the address last  
2053 furnished to the association by the unit owner, or  
2054 electronically transmit to the location furnished by the unit  
2055 owner for that purpose a notice of such meeting and a copy of  
2056 the proposed annual budget. An officer or manager of the  
2057 association, or other person providing notice of such meeting,  
2058 shall execute an affidavit evidencing compliance with such  
2059 notice requirement, and such affidavit shall be filed among the  
2060 official records of the association.

2061 2.a. If a board proposes ~~adopts~~ in any fiscal year an  
2062 annual budget which requires assessments against unit owners  
2063 which exceed 115 percent of assessments for the preceding fiscal  
2064 year, the board shall simultaneously propose a substitute budget  
2065 that does not include any discretionary expenditures that are  
2066 not required to be in the budget. The substitute budget must be  
2067 proposed at the budget meeting before the ~~conduct a special~~  
2068 ~~meeting of the unit owners to consider a substitute budget if~~  
2069 ~~the board receives, within 21 days after adoption of the annual~~  
2070 ~~budget, a written request for a special meeting from at least 10~~  
2071 ~~percent of all voting interests. The special meeting shall be~~  
2072 ~~conducted within 60 days after adoption of the annual budget. At~~  
2073 ~~least 14 days~~ before such budget meeting in which a substitute  
2074 budget will be proposed ~~prior to such special meeting~~, the board  
2075 shall hand deliver to each unit owner, or mail to each unit

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owner at the address last furnished to the association, a notice of the meeting. An officer or manager of the association, or other person providing notice of such meeting shall execute an affidavit evidencing compliance with this notice requirement, and such affidavit shall be filed among the official records of the association. Unit owners must ~~may~~ consider and may adopt a substitute budget at the ~~special~~ meeting. A substitute budget is adopted if approved by a majority of all voting interests unless the bylaws require adoption by a greater percentage of voting interests. If ~~there is not a quorum at the special meeting or a~~ substitute budget is not adopted, the annual budget previously initially proposed ~~adopted~~ by the board may be adopted ~~shall take effect as scheduled~~.

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

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

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2101 (f) *Annual budget.*—

2102 1. The proposed annual budget of estimated revenues and  
2103 expenses must be detailed and must show the amounts budgeted by  
2104 accounts and expense classifications, including, at a minimum,  
2105 any applicable expenses listed in s. 718.504(21). The board  
2106 shall adopt the annual budget at least 14 days before the start  
2107 of the association's fiscal year. In the event that the board  
2108 fails to timely adopt the annual budget a second time, it is  
2109 deemed a minor violation and the prior year's budget shall  
2110 continue in effect until a new budget is adopted. A  
2111 multicondominium association must adopt a separate budget of  
2112 common expenses for each condominium the association operates  
2113 and must adopt a separate budget of common expenses for the  
2114 association. In addition, if the association maintains limited  
2115 common elements with the cost to be shared only by those  
2116 entitled to use the limited common elements as provided for in  
2117 s. 718.113(1), the budget or a schedule attached to it must show  
2118 the amount budgeted for this maintenance. If, after turnover of  
2119 control of the association to the unit owners, any of the  
2120 expenses listed in s. 718.504(21) are not applicable, they do  
2121 not need to be listed.

2122 2.a. In addition to annual operating expenses, the budget  
2123 must include reserve accounts for capital expenditures and  
2124 deferred maintenance. These accounts must include, but are not  
2125 limited to, roof replacement, building painting, and pavement

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2126 resurfacing, regardless of the amount of deferred maintenance  
2127 expense or replacement cost, and any other item that has a  
2128 deferred maintenance expense or replacement cost that exceeds  
2129 \$25,000 or the inflation-adjusted amount determined by the  
2130 division under subparagraph 6., whichever is greater \$10,000.  
2131 The amount to be reserved must be computed using a formula based  
2132 upon estimated remaining useful life and estimated replacement  
2133 cost or deferred maintenance expense of the reserve item. In a  
2134 budget adopted by an association that is required to obtain a  
2135 structural integrity reserve study, reserves must be maintained  
2136 for the items identified in paragraph (g) for which the  
2137 association is responsible pursuant to the declaration of  
2138 condominium, and the reserve amount for such items must be based  
2139 on the findings and recommendations of the association's most  
2140 recent structural integrity reserve study. If an association  
2141 votes to terminate the condominium in accordance with s.  
2142 718.117, the members may vote to waive the maintenance of  
2143 reserves recommended by the association's most recent structural  
2144 integrity reserve study. With respect to items for which an  
2145 estimate of useful life is not readily ascertainable or with an  
2146 estimated remaining useful life of greater than 25 years, an  
2147 association is not required to reserve replacement costs for  
2148 such items, but an association must reserve the amount of  
2149 deferred maintenance expense, if any, which is recommended by  
2150 the structural integrity reserve study for such items. The

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association may adjust replacement reserve assessments annually to take into account an inflation adjustment and any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance.

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

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

(II) A unit-owner-controlled association that must have a structural integrity reserve study may secure a line of credit or a loan to fund capital expenses required by a milestone inspection under s. 553.899 or a structural integrity reserve

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

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

d. If the local building official, as defined in s. 468.603, determines that the entire condominium building is uninhabitable due to a natural emergency, as defined in s. 252.34, the board, ~~upon the approval of a majority of its members,~~ may pause the contribution to its reserves or reduce reserve funding until the local building official determines



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2201 that the condominium building is habitable. Any reserve account  
2202 funds held by the association may be expended, pursuant to the  
2203 board's determination, to make the condominium building and its  
2204 structures habitable. Upon the determination by the local  
2205 building official that the condominium building is habitable,  
2206 the association must immediately resume contributing funds to  
2207 its reserves.

2208 e. For a budget adopted on or before December 31, 2028, if  
2209 the association has completed a milestone inspection pursuant to  
2210 s. 553.899 within the previous 2 calendar years, the board, upon  
2211 the approval of a majority of the total voting interests of the  
2212 association, may temporarily pause, for a period of no more than  
2213 two consecutive annual budgets, reserve fund contributions or  
2214 reduce the amount of reserve funding for the purpose of funding  
2215 repairs recommended by the milestone inspection. This sub-  
2216 subparagraph does not apply to an association controlled by a  
2217 developer as defined in s. 718.103, an association in which the  
2218 nondeveloper unit owners have been in control for less than 1  
2219 year, or an association controlled by one or more bulk assignees  
2220 or bulk buyers as those terms are defined in s. 718.703. An  
2221 association that has paused reserve contributions under this  
2222 subparagraph must have a structural integrity reserve study  
2223 performed before the continuation of reserve contributions in  
2224 order to determine the association's reserve funding needs and  
2225 to recommend a reserve funding plan.

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2226        ~~f.b.~~ Before turnover of control of an association by a  
2227 developer to unit owners other than a developer under s.  
2228 718.301, the developer-controlled association may not vote to  
2229 waive the reserves or reduce funding of the reserves. If a  
2230 meeting of the unit owners has been called to determine whether  
2231 to waive or reduce the funding of reserves and no such result is  
2232 achieved or a quorum is not attained, the reserves included in  
2233 the budget shall go into effect. After the turnover, the  
2234 developer may vote its voting interest to waive or reduce the  
2235 funding of reserves.

2236        3. Reserve funds and any interest accruing thereon shall  
2237 remain in the reserve account or accounts, and may be used only  
2238 for authorized reserve expenditures unless their use for other  
2239 purposes is approved in advance by a majority vote of all the  
2240 total voting interests of the association. Before turnover of  
2241 control of an association by a developer to unit owners other  
2242 than the developer pursuant to s. 718.301, the developer-  
2243 controlled association may not vote to use reserves for purposes  
2244 other than those for which they were intended. For a budget  
2245 adopted on or after December 31, 2024, members of a unit-owner-  
2246 controlled association that must obtain a structural integrity  
2247 reserve study may not vote to use reserve funds, or any interest  
2248 accruing thereon, for any other purpose other than the  
2249 replacement or deferred maintenance costs of the components  
2250 listed in paragraph (g).

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2251        4. An association's reserve accounts may be pooled for two  
2252 or more required components. Reserve funding for components  
2253 listed in paragraph (g) may only be pooled with other components  
2254 listed in paragraph (g). The reserve funding indicated in the  
2255 proposed annual budget must be sufficient to ensure that  
2256 available funds meet or exceed projected expenses for all  
2257 components in the reserve pool based on the reserve funding plan  
2258 or schedule of the most recent structural integrity reserve  
2259 study. A vote of the members is not required for the board to  
2260 change the accounting method for reserves to a pooling  
2261 accounting method or a straight-line accounting method.

2262        ~~5.4.~~ The only voting interests that are eligible to vote  
2263 on questions that involve waiving or reducing the funding of  
2264 reserves, or using existing reserve funds for purposes other  
2265 than purposes for which the reserves were intended, are the  
2266 voting interests of the units subject to assessment to fund the  
2267 reserves in question. Proxy questions relating to waiving or  
2268 reducing the funding of reserves or using existing reserve funds  
2269 for purposes other than purposes for which the reserves were  
2270 intended must contain the following statement in capitalized,  
2271 bold letters in a font size larger than any other used on the  
2272 face of the proxy ballot:

2273  
2274            WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING  
2275            ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN

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UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED  
SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

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

(g) Structural integrity reserve study.—

1. A residential condominium association must have a structural integrity reserve study completed at least every 10 years after the condominium's creation for each building on the condominium property that is three habitable stories or higher in height, as determined by the Florida Building Code, which includes, at a minimum, a study of the following items as related to the structural integrity and safety of the building:

a. Roof.

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

c. Fireproofing and fire protection systems.

d. Plumbing.

e. Electrical systems.

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2301 f. Waterproofing and exterior painting.  
2302 g. Windows and exterior doors.  
2303 h. Any other item that has a deferred maintenance expense  
2304 or replacement cost that exceeds \$25,000 or the inflation-  
2305 adjusted amount determined by the division under subparagraph  
2306 (f)6., whichever is greater, \$10,000 and the failure to replace  
2307 or maintain such item negatively affects the items listed in  
2308 sub-subparagraphs a.-g., as determined by the visual inspection  
2309 portion of the structural integrity reserve study.

2310 2. A structural integrity reserve study is based on a  
2311 visual inspection of the condominium property.

2312 3.a. A structural integrity reserve study ~~may be performed~~  
2313 ~~by any person qualified to perform such study. However,~~  
2314 including the visual inspection portion of the structural  
2315 integrity reserve study, must be performed or verified by an  
2316 engineer licensed under chapter 471, an architect licensed under  
2317 chapter 481, or a person certified as a reserve specialist or  
2318 professional reserve analyst by the Community Associations  
2319 Institute or the Association of Professional Reserve Analysts.

2320 b. Any design professional as defined in s. 558.002 or any  
2321 contractor licensed under chapter 489 who bids to perform a  
2322 structural integrity reserve study must disclose in writing to  
2323 the association his or her intent to bid on any services related  
2324 to any maintenance, repair, or replacement that may be  
2325 recommended by the structural integrity reserve study. Any

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design professional as defined in s. 558.002 or contractor  
licensed under chapter 489 who submits a bid to the association  
for performing any services recommended by the structural  
integrity reserve study may not have an interest, directly or  
indirectly, in the firm or entity providing the association's  
structural integrity reserve study or be a relative of any  
person having a direct or indirect interest in such firm, unless  
such relationship is disclosed to the association in writing. As  
used in this section, the term "relative" means a relative  
within the third degree of consanguinity by blood or marriage. A  
contract for services is voidable and terminates upon the  
association filing a written notice terminating the contract if  
the design professional or licensed contractor failed to provide  
the written disclosure of the interests or relationships  
required under this paragraph. A design professional or licensed  
contractor may be subject to discipline under the applicable  
practice act for his or her profession for failure to provide  
the written disclosure of the interests or relationships  
required under this paragraph.

4.a.3- At a minimum, a structural integrity reserve study  
must identify each item of the condominium property being  
visually inspected, state the estimated remaining useful life  
and the estimated replacement cost or deferred maintenance  
expense of each item of the condominium property being visually  
inspected, and provide a reserve funding plan or schedule with a

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recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each item of condominium property being visually inspected by the end of the estimated remaining useful life of the item. At a minimum, the structural integrity reserve study must include a recommendation for a reserve funding schedule based on a baseline funding plan that provides a reserve funding goal in which the reserve funding for each budget year is sufficient to maintain the reserve cash balance above zero. The study may recommend other types of reserve funding schedules, provided that each recommended schedule is sufficient to meet the association's maintenance obligation.

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

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2376 structural integrity reserve study as an item for which reserves  
2377 are not required under this paragraph.

2378 c. The structural integrity reserve study must take into  
2379 consideration the funding method or methods used by the  
2380 association to fund its maintenance and reserve funding  
2381 obligations through regular assessments, special assessments,  
2382 lines of credit, or loans. If the structural integrity reserve  
2383 study is performed before the association has approved a special  
2384 assessment or secured a line of credit or a loan, the structural  
2385 integrity reserve study must be updated to reflect the funding  
2386 method selected by the association and its effect on the reserve  
2387 funding schedule, including any anticipated change in the amount  
2388 of regular assessments. The structural integrity reserve study  
2389 may be updated to reflect any changes to the useful life of the  
2390 reserve items after such items are repaired or replaced, and the  
2391 effect such repair or replacement will have on the reserve  
2392 funding schedule. The association must obtain an updated  
2393 structural integrity reserve study before adopting any budget in  
2394 which the reserve funding from regular assessments, special  
2395 assessments, lines of credit, or loans do not align with the  
2396 funding plan from the most recent version of the structural  
2397 integrity reserve study.

2398 5.4. This paragraph does not apply to buildings less than  
2399 three stories in height; single-family, two-family, ~~or~~ three-  
2400 family, or four-family dwellings with three or fewer habitable



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2401 stories above ground; any portion or component of a building  
2402 that has not been submitted to the condominium form of  
2403 ownership; or any portion or component of a building that is  
2404 maintained by a party other than the association.

2405     ~~6.5.~~ Before a developer turns over control of an  
2406 association to unit owners other than the developer, the  
2407 developer must have a turnover inspection report in compliance  
2408 with s. 718.301(4)(p) and (q) for each building on the  
2409 condominium property that is three stories or higher in height.

2410     ~~7.6.~~ Associations existing on or before July 1, 2022,  
2411 which are controlled by unit owners other than the developer,  
2412 must have a structural integrity reserve study completed by  
2413 December 31, 2025 ~~2024~~, for each building on the condominium  
2414 property that is three stories or higher in height. An  
2415 association that is required to complete a milestone inspection  
2416 in accordance with s. 553.899 on or before December 31, 2026,  
2417 may complete the structural integrity reserve study  
2418 simultaneously with the milestone inspection. In no event may  
2419 the structural integrity reserve study be completed after  
2420 December 31, 2026.

2421     ~~8.7.~~ If the milestone inspection required by s. 553.899,  
2422 or an inspection completed for a similar local requirement, was  
2423 performed within the past 5 years and meets the requirements of  
2424 this paragraph, such inspection may be used in place of the  
2425 visual inspection portion of the structural integrity reserve

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study.

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

~~10.8.~~ If the officers or directors of an association willfully and knowingly fail to complete a structural integrity reserve study pursuant to this paragraph, such failure is a breach of an officer's or a ~~and~~ director's fiduciary relationship to the unit owners under s. 718.111(1). An officer or a director of an association must sign an affidavit acknowledging receipt of the completed structural integrity reserve study.

~~11.9.~~ Within 45 days after receiving the structural integrity reserve study, the association must distribute a copy of the study to each unit owner or deliver to each unit owner a notice that the completed study is available for inspection and copying upon a written request. Distribution of a copy of the study or notice must be made by United States mail or personal delivery to the mailing address, property address, or any other address of the owner provided to fulfill the association's

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notice requirements under this chapter, or by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission.

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

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

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

718.113 Maintenance; limitation upon improvement; display of flag; hurricane protection; display of religious decorations.—

(5) To protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protections installed by condominium associations and unit owners, this subsection applies to all residential and

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2476 mixed-use condominiums in the state, regardless of when the  
2477 condominium is created pursuant to the declaration of  
2478 condominium. Each board of administration of a residential  
2479 condominium or mixed-use condominium must adopt hurricane  
2480 protection specifications for each building within each  
2481 condominium operated by the association which may include color,  
2482 style, and other factors deemed relevant by the board. All  
2483 specifications adopted by the board must comply with the  
2484 applicable building code. The installation, maintenance, repair,  
2485 replacement, and operation of hurricane protection in accordance  
2486 with this subsection is not considered a material alteration or  
2487 substantial addition to the common elements or association  
2488 property within the meaning of this section.

2489 (d) Unless otherwise provided in the declaration as  
2490 originally recorded, or as amended, a unit owner is not  
2491 responsible for the cost of any removal or reinstallation of  
2492 hurricane protection, including exterior windows, doors, or  
2493 other apertures, if its removal is necessary for the  
2494 maintenance, repair, or replacement of other condominium  
2495 property or association property for which the association is  
2496 responsible. The board shall determine if the removal or  
2497 reinstallation of hurricane protection must be completed by the  
2498 unit owner or the association if the declaration as originally  
2499 recorded, or as amended, does not specify who is responsible for  
2500 such costs. If such removal or reinstallation is completed by

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the association, the costs incurred by the association may not be charged to the unit owner. If such removal or reinstallation is completed by the unit owner, the association must reimburse the unit owner for the cost of the removal or reinstallation or the association must apply a credit toward future assessments in the amount of the unit owner's cost to remove or reinstall the hurricane protection.

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

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

718.1265 Association emergency powers.—

(1) To the extent allowed by law, unless specifically prohibited by the declaration of condominium, the articles, or the bylaws of an association, and consistent with s. 617.0830, the board of administration, in response to damage or injury caused by or anticipated in connection with an emergency, as defined in s. 252.34(4), for which a state of emergency is declared pursuant to s. 252.36 in the locale in which the condominium is located, may exercise the following powers:

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2526 (h) Require the evacuation of the condominium property in  
2527 the event of an ~~a mandatory~~ evacuation order in the locale in  
2528 which the condominium is located. If a ~~Should any~~ unit owner or  
2529 other occupant of a condominium fails or refuses ~~fail or refuse~~  
2530 to evacuate the condominium property or association property for  
2531 which ~~where~~ the board has required evacuation, the association  
2532 is ~~shall be~~ immune from liability or injury to persons or  
2533 property arising from such failure or refusal.

2534 Section 11. Present subsection (6) of section 718.128,  
2535 Florida Statutes, is redesignated as subsection (8), a new  
2536 subsection (6) and subsection (7) are added to that section, and  
2537 subsection (4) of that section is amended, to read:

2538 718.128 Electronic voting.—The association may conduct  
2539 elections and other unit owner votes through an Internet-based  
2540 online voting system if a unit owner consents, electronically or  
2541 in writing, to online voting and if the following requirements  
2542 are met:

2543 (4) This section applies to an association that provides  
2544 for and authorizes an online voting system pursuant to this  
2545 section by a board resolution. If the board authorizes online  
2546 voting, the board must honor a unit owner's request to vote  
2547 electronically at all subsequent elections, unless such unit  
2548 owner opts out of online voting. The board resolution must  
2549 provide that unit owners receive notice of the opportunity to  
2550 vote through an online voting system, must establish reasonable

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2551 procedures and deadlines for unit owners to consent,  
2552 electronically or in writing, to online voting, and must  
2553 establish reasonable procedures and deadlines for unit owners to  
2554 opt out of online voting after giving consent. ~~Written notice of~~  
2555 ~~a meeting at which the resolution will be considered must be~~  
2556 ~~mailed, delivered, or electronically transmitted to the unit~~  
2557 ~~owners and posted conspicuously on the condominium property or~~  
2558 ~~association property at least 14 days before the meeting.~~  
2559 ~~Evidence of compliance with the 14-day notice requirement must~~  
2560 ~~be made by an affidavit executed by the person providing the~~  
2561 ~~notice and filed with the official records of the association.~~

2562 (6) If at least 25 percent of the voting interests of a  
2563 condominium petition the board to adopt a resolution for  
2564 electronic voting for the next scheduled election, the board  
2565 must hold a meeting within 21 days after receipt of the petition  
2566 to adopt such resolution. The board must receive the petition  
2567 within 180 days after the date of the last scheduled annual  
2568 meeting.

2569 (7) (a) Unless the association has adopted electronic  
2570 voting in accordance with subsections (1)-(6), the association  
2571 must designate an e-mail address for receipt of electronically  
2572 transmitted ballots. Electronically transmitted ballots must  
2573 meet all the requirements of this subsection.

2574 (b) A unit owner may electronically transmit a ballot to  
2575 the e-mail address designated by the association without

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2576 complying with s. 718.112(2)(d)4. or the rules providing for the  
2577 secrecy of ballots adopted by the division. The association must  
2578 count completed ballots that are electronically transmitted to  
2579 the designated e-mail address, provided the completed ballots  
2580 comply with the requirements of this subsection.

2581 (c) A ballot that is electronically transmitted to the  
2582 association must include all of the following:

2583 1. A space for the unit owner to type in his or her unit  
2584 number.

2585 2. A space for the unit owner to type in his or her first  
2586 and last name, which also functions as the signature of the unit  
2587 owner for purposes of signing the ballot.

2588 3. The following statement in capitalized letters and in a  
2589 font size larger than any other font size used in the e-mail  
2590 from the association to the unit owner:

2591  
2592 WAIVING THE SECRECY OF YOUR BALLOT IS YOUR CHOICE. YOU  
2593 DO NOT HAVE TO WAIVE THE SECRECY OF YOUR BALLOT IN  
2594 ORDER TO VOTE. BY TRANSMITTING YOUR COMPLETED BALLOT  
2595 THROUGH E-MAIL TO THE ASSOCIATION, YOU WAIVE THE  
2596 SECRECY OF YOUR COMPLETED BALLOT. IF YOU DO NOT WISH  
2597 TO WAIVE YOUR SECRECY BUT WISH TO PARTICIPATE IN THE  
2598 VOTE THAT IS THE SUBJECT OF THIS BALLOT, PLEASE ATTEND  
2599 THE IN-PERSON MEETING DURING WHICH THE MATTER WILL BE  
2600 VOTED ON.



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2601  
2602       (d) A unit owner must transmit his or her completed ballot  
2603 to the e-mail address designated by the association no later  
2604 than the scheduled date and time of the meeting during which the  
2605 matter is being voted on.

2606       (e) There is a rebuttable presumption that an association  
2607 has reviewed all folders associated with the e-mail address  
2608 designated by the association to receive ballots if a board  
2609 member, an officer, or an agent of the association, or a manager  
2610 licensed under part VIII of chapter 468, provides a sworn  
2611 affidavit attesting to such review.

2612       Section 12. Subsection (7) of section 718.203, Florida  
2613 Statutes, is amended to read:

2614       718.203 Warranties.—

2615       (7) ~~Residential~~ Condominiums may be covered by an insured  
2616 warranty program underwritten by a licensed insurance company  
2617 registered in this state, provided that such warranty program  
2618 meets the minimum requirements of this chapter; to the degree  
2619 that such warranty program does not meet the minimum  
2620 requirements of this chapter, such requirements shall apply.

2621       Section 13. Subsection (1) of section 718.301, Florida  
2622 Statutes, is amended to read:

2623       718.301 Transfer of association control; claims of defect  
2624 by association.—

2625       (1) If unit owners other than the developer own 15 percent

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2626 or more of the units in a condominium that will be operated  
2627 ultimately by an association, the unit owners other than the  
2628 developer are entitled to elect at least one-third of the  
2629 members of the board of administration of the association. Unit  
2630 owners other than the developer are entitled to elect at least a  
2631 majority of the members of the board of administration of an  
2632 association, upon the first to occur of any of the following  
2633 events:

2634 (a) Three years after 50 percent of the units that will be  
2635 operated ultimately by the association have been conveyed to  
2636 purchasers;

2637 (b) Three months after 90 percent of the units that will  
2638 be operated ultimately by the association have been conveyed to  
2639 purchasers;

2640 (c) When all the units that will be operated ultimately by  
2641 the association have been completed, some of them have been  
2642 conveyed to purchasers, and none of the others are being offered  
2643 for sale by the developer in the ordinary course of business;

2644 (d) When some of the units have been conveyed to  
2645 purchasers and none of the others are being constructed or  
2646 offered for sale by the developer in the ordinary course of  
2647 business;

2648 (e) When the developer files a petition seeking protection  
2649 in bankruptcy;

2650 (f) When a receiver for the developer is appointed by a

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2651 circuit court and is not discharged within 30 days after such  
2652 appointment, unless the court determines within 30 days after  
2653 appointment of the receiver that transfer of control would be  
2654 detrimental to the association or its members; or  
2655 (g) Seven years after the date of the recording of the  
2656 certificate of a surveyor and mapper pursuant to s.  
2657 718.104(4)(e) or the recording of an instrument that transfers  
2658 title to a unit in the condominium which is not accompanied by a  
2659 recorded assignment of developer rights in favor of the grantee  
2660 of such unit, whichever occurs first; or, in the case of an  
2661 association that may ultimately operate more than one  
2662 condominium, 7 years after the date of the recording of the  
2663 certificate of a surveyor and mapper pursuant to s.  
2664 718.104(4)(e) or the recording of an instrument that transfers  
2665 title to a unit which is not accompanied by a recorded  
2666 assignment of developer rights in favor of the grantee of such  
2667 unit, whichever occurs first, for the first condominium it  
2668 operates; or, in the case of an association operating a phase  
2669 condominium created pursuant to s. 718.403, 7 years after the  
2670 date of the recording of the certificate of a surveyor and  
2671 mapper pursuant to s. 718.104(4)(e) or the recording of an  
2672 instrument that transfers title to a unit which is not  
2673 accompanied by a recorded assignment of developer rights in  
2674 favor of the grantee of such unit, whichever occurs first.  
2675

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

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

718.302 Agreements entered into by the association.—

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

(a) If the association operates only one condominium and

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2701 the unit owners other than the developer have assumed control of  
2702 the association, or if unit owners other than the developer own  
2703 at least not less than 75 percent of the voting interests in the  
2704 condominium or own at least 90 percent of the voting interests  
2705 if the condominium is a nonresidential condominium consisting of  
2706 10 or fewer units, the cancellation must ~~shall~~ be by concurrence  
2707 of the owners of at least not less than 75 percent of the voting  
2708 interests other than the voting interests owned by the  
2709 developer. If a grant, reservation, or contract is so canceled  
2710 and the unit owners other than the developer have not assumed  
2711 control of the association, the association must ~~shall~~ make a  
2712 new contract or otherwise provide for maintenance, management,  
2713 or operation in lieu of the canceled obligation, at the  
2714 direction of the owners of not less than a majority of the  
2715 voting interests in the condominium other than the voting  
2716 interests owned by the developer.

2717 (b) If the association operates more than one condominium  
2718 and the unit owners other than the developer have not assumed  
2719 control of the association, and if unit owners other than the  
2720 developer own at least 75 percent of the voting interests in the  
2721 condominiums ~~a condominium~~ operated by the association or,  
2722 beginning July 1, 2025, own at least 90 percent of the voting  
2723 interests if the condominium is a nonresidential condominium  
2724 consisting of 10 or fewer units, any grant, reservation, or  
2725 contract for maintenance, management, or operation of buildings

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2726 containing the units in that condominium or of improvements used  
2727 only by unit owners of that condominium may be canceled by  
2728 concurrence of the owners of at least 75 percent, or the owners  
2729 of at least 90 percent if the condominium is a nonresidential  
2730 condominium consisting of 10 or fewer units, of the voting  
2731 interests in the condominium other than the voting interests  
2732 owned by the developer. A ~~No~~ grant, reservation, or contract for  
2733 maintenance, management, or operation of recreational areas or  
2734 any other property serving more than one condominium, and  
2735 operated by more than one association, may not be canceled  
2736 except pursuant to paragraph (d).

2737 (c) If the association operates more than one condominium  
2738 and the unit owners other than the developer have assumed  
2739 control of the association, the cancellation shall be by  
2740 concurrence of the owners of not less than 75 percent of the  
2741 total number of voting interests in all condominiums operated by  
2742 the association other than the voting interests owned by the  
2743 developer.

2744 (d) If the owners of units in a condominium have the right  
2745 to use property in common with owners of units in other  
2746 condominiums and those condominiums are operated by more than  
2747 one association, no grant, reservation, or contract for  
2748 maintenance, management, or operation of the property serving  
2749 more than one condominium may be canceled until unit owners  
2750 other than the developer have assumed control of all of the

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associations operating the condominiums that are to be served by the recreational area or other property, after which cancellation may be effected by concurrence of the owners of not less than 75 percent of the total number of voting interests in those condominiums other than voting interests owned by the developer.

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

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

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

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

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2776        (c) Within 60 days after receipt of the complete financial  
2777 report, the association may challenge any apportionment of costs  
2778 for the maintenance and operation of the shared facilities. A  
2779 challenge under this paragraph is governed by s. 720.311.

2780        Section 16. Subsections (1) and (3) of section 718.501,  
2781 Florida Statutes, are amended, and paragraph (d) is added to  
2782 subsection (2) of that section, to read:

2783        718.501 Authority, responsibility, and duties of Division  
2784 of Florida Condominiums, Timeshares, and Mobile Homes.—

2785        (1) The division may enforce and ensure compliance with  
2786 this chapter and rules relating to the development,  
2787 construction, sale, lease, ownership, operation, and management  
2788 of residential condominium units and complaints ~~related to the~~  
2789 ~~procedural completion of milestone inspections under s. 553.899.~~  
2790 In performing its duties, the division has complete jurisdiction  
2791 to investigate complaints and enforce compliance with respect to  
2792 associations that are still under developer control or the  
2793 control of a bulk assignee or bulk buyer pursuant to part VII of  
2794 this chapter and complaints against developers, bulk assignees,  
2795 or bulk buyers involving improper turnover or failure to  
2796 turnover, pursuant to s. 718.301. However, after turnover has  
2797 occurred, the division has jurisdiction to review records and  
2798 investigate complaints related only to:

2799        (a)1. Procedural aspects and records relating to financial  
2800 issues, including annual financial reporting under s.



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2801 718.111(13); assessments for common expenses, fines, and  
2802 commingling of reserve and operating funds under s. 718.111(14);  
2803 use of debit cards for unintended purposes under s. 718.111(15);  
2804 the annual operating budget and the allocation of reserve funds  
2805 under s. 718.112(2)(f); financial records under s.  
2806 718.111(12)(a)11.; and any other record necessary to determine  
2807 the revenues and expenses of the association.

2808 2. Elections, including election and voting requirements  
2809 under s. 718.112(2)(b) and (d), recall of board members under s.  
2810 718.112(2)(l), electronic voting under s. 718.128, and elections  
2811 that occur during an emergency under s. 718.1265(1)(a).

2812 3. The maintenance of and unit owner access to association  
2813 records under s. 718.111(12).

2814 4. The procedural aspects of meetings, including unit  
2815 owner meetings, quorums, voting requirements, proxies, board of  
2816 administration meetings, and budget meetings under s.  
2817 718.112(2).

2818 5. The disclosure of conflicts of interest under ss.  
2819 718.111(1)(a) and 718.3027, including limitations contained in  
2820 s. 718.111(3)(f).

2821 6. The removal of a board director or officer under ss.  
2822 718.111(1)(a) and (15) and 718.112(2)(p) and (q).

2823 7. The procedural completion of structural integrity  
2824 reserve studies under s. 718.112(2)(g) and the milestone  
2825 inspections under s. 553.899.

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2826        8. Completion of repairs required by a milestone  
2827 inspection under s. 553.899.

2828        ~~9.8.~~ Any written inquiries by unit owners to the  
2829 association relating to such matters, including written  
2830 inquiries under s. 718.112(2)(a)2.

2831        10. The requirement for associations to maintain an  
2832 insurance policy or fidelity bonding for all persons who control  
2833 or disperse funds of the association under s. 718.111(11)(h).

2834        11. Board member education requirements under s.  
2835 718.112(2)(d)5.b.

2836        12. Reporting requirements for structural integrity  
2837 reserve studies under subsection (3) and under s.  
2838 718.112(2)(g)12.

2839        (b)1. The division may make necessary public or private  
2840 investigations within or outside this state to determine whether  
2841 any person has violated this chapter or any rule or order  
2842 hereunder, to aid in the enforcement of this chapter, or to aid  
2843 in the adoption of rules or forms.

2844        2. The division may submit any official written report,  
2845 worksheet, or other related paper, or a duly certified copy  
2846 thereof, compiled, prepared, drafted, or otherwise made by and  
2847 duly authenticated by a financial examiner or analyst to be  
2848 admitted as competent evidence in any hearing in which the  
2849 financial examiner or analyst is available for cross-examination  
2850 and attests under oath that such documents were prepared as a

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2851 result of an examination or inspection conducted pursuant to  
2852 this chapter.

2853       (c) The division may require or permit any person to file  
2854 a statement in writing, under oath or otherwise, as the division  
2855 determines, as to the facts and circumstances concerning a  
2856 matter to be investigated.

2857       (d) For the purpose of any investigation under this  
2858 chapter, the division director or any officer or employee  
2859 designated by the division director may administer oaths or  
2860 affirmations, subpoena witnesses and compel their attendance,  
2861 take evidence, and require the production of any matter which is  
2862 relevant to the investigation, including the existence,  
2863 description, nature, custody, condition, and location of any  
2864 books, documents, or other tangible things and the identity and  
2865 location of persons having knowledge of relevant facts or any  
2866 other matter reasonably calculated to lead to the discovery of  
2867 material evidence. Upon the failure by a person to obey a  
2868 subpoena or to answer questions propounded by the investigating  
2869 officer and upon reasonable notice to all affected persons, the  
2870 division may apply to the circuit court for an order compelling  
2871 compliance.

2872       (e) Notwithstanding any remedies available to unit owners  
2873 and associations, if the division has reasonable cause to  
2874 believe that a violation of any provision of this chapter or  
2875 related rule has occurred, the division may institute

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2876 enforcement proceedings in its own name against any developer,  
2877 bulk assignee, bulk buyer, association, officer, or member of  
2878 the board of administration, or its assignees or agents, as  
2879 follows:

2880       1. The division may permit a person whose conduct or  
2881 actions may be under investigation to waive formal proceedings  
2882 and enter into a consent proceeding whereby orders, rules, or  
2883 letters of censure or warning, whether formal or informal, may  
2884 be entered against the person.

2885       2. The division may issue an order requiring the  
2886 developer, bulk assignee, bulk buyer, association, developer-  
2887 designated officer, or developer-designated member of the board  
2888 of administration, developer-designated assignees or agents,  
2889 bulk assignee-designated assignees or agents, bulk buyer-  
2890 designated assignees or agents, community association manager,  
2891 or community association management firm to cease and desist  
2892 from the unlawful practice and take such affirmative action as  
2893 in the judgment of the division carry out the purposes of this  
2894 chapter. If the division finds that a developer, bulk assignee,  
2895 bulk buyer, association, officer, or member of the board of  
2896 administration, or its assignees or agents, is violating or is  
2897 about to violate any provision of this chapter, any rule adopted  
2898 or order issued by the division, or any written agreement  
2899 entered into with the division, and presents an immediate danger  
2900 to the public requiring an immediate final order, it may issue

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an emergency cease and desist order reciting with particularity the facts underlying such findings. The emergency cease and desist order is effective for 90 days. If the division begins nonemergency cease and desist proceedings, the emergency cease and desist order remains effective until the conclusion of the proceedings under ss. 120.569 and 120.57.

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

4. The division may petition the court for appointment of a receiver or conservator. If appointed, the receiver or conservator may take action to implement the court order to ensure the performance of the order and to remedy any breach thereof. In addition to all other means provided by law for the enforcement of an injunction or temporary restraining order, the circuit court may impound or sequester the property of a party

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defendant, including books, papers, documents, and related records, and allow the examination and use of the property by the division and a court-appointed receiver or conservator.

5. The division may apply to the circuit court for an order of restitution whereby the defendant in an action brought under subparagraph 4. is ordered to make restitution of those sums shown by the division to have been obtained by the defendant in violation of this chapter. At the option of the court, such restitution is payable to the conservator or receiver appointed under subparagraph 4. or directly to the persons whose funds or assets were obtained in violation of this chapter.

6. The division may impose a civil penalty against a developer, bulk assignee, or bulk buyer, or association, or its assignee or agent, for any violation of this chapter or related rule. The division may impose a civil penalty individually against an officer or board member who willfully and knowingly violates this chapter, an adopted rule, or a final order of the division; may order the removal of such individual as an officer or from the board of administration or as an officer of the association; and may prohibit such individual from serving as an officer or on the board of a community association for a period of time. The term "willfully and knowingly" means that the division informed the officer or board member that his or her action or intended action violates this chapter, a rule adopted

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2951 under this chapter, or a final order of the division and that  
2952 the officer or board member refused to comply with the  
2953 requirements of this chapter, a rule adopted under this chapter,  
2954 or a final order of the division. The division, before  
2955 initiating formal agency action under chapter 120, must afford  
2956 the officer or board member an opportunity to voluntarily  
2957 comply, and an officer or board member who complies within 10  
2958 days is not subject to a civil penalty. A penalty may be imposed  
2959 on the basis of each day of continuing violation, but the  
2960 penalty for any offense may not exceed \$5,000. The division  
2961 shall adopt~~7~~ by rule~~7~~ penalty guidelines applicable to possible  
2962 violations or to categories of violations of this chapter or  
2963 rules adopted by the division. The guidelines must specify a  
2964 meaningful range of civil penalties for each such violation of  
2965 the statute and rules and must be based upon the harm caused by  
2966 the violation, upon the repetition of the violation, and upon  
2967 such other factors deemed relevant by the division. For example,  
2968 the division may consider whether the violations were committed  
2969 by a developer, bulk assignee, or bulk buyer, or owner-  
2970 controlled association, the size of the association, and other  
2971 factors. The guidelines must designate the possible mitigating  
2972 or aggravating circumstances that justify a departure from the  
2973 range of penalties provided by the rules. It is the legislative  
2974 intent that minor violations be distinguished from those which  
2975 endanger the health, safety, or welfare of the condominium

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residents or other persons and that such guidelines provide reasonable and meaningful notice to the public of likely penalties that may be imposed for proscribed conduct. This subsection does not limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, agreed settlement, or consent order. All amounts collected shall be deposited with the Chief Financial Officer to the credit of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. If a developer, bulk assignee, or bulk buyer fails to pay the civil penalty and the amount deemed to be owed to the association, the division shall issue an order directing that such developer, bulk assignee, or bulk buyer cease and desist from further operation until such time as the civil penalty is paid or may pursue enforcement of the penalty in a court of competent jurisdiction. If an association fails to pay the civil penalty, the division shall pursue enforcement in a court of competent jurisdiction, and the order imposing the civil penalty or the cease and desist order is not effective until 20 days after the date of such order. Any action commenced by the division shall be brought in the county in which the division has its executive offices or in the county in which the violation occurred.

7. If a unit owner presents the division with proof that the unit owner has requested access to official records in writing by certified mail, and that after 10 days the unit owner



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again made the same request for access to official records in writing by certified mail, and that more than 10 days has elapsed since the second request and the association has still failed or refused to provide access to official records as required by this chapter, the division shall issue a subpoena requiring production of the requested records at the location in which the records are kept pursuant to s. 718.112. Upon receipt of the records, the division must provide to the unit owner who was denied access to such records the produced official records without charge.

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

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

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

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3026           (g) The division may adopt rules to administer and enforce  
3027 this chapter.

3028           (h) The division shall establish procedures for providing  
3029 notice to an association and the developer, bulk assignee, or  
3030 bulk buyer during the period in which the developer, bulk  
3031 assignee, or bulk buyer controls the association if the division  
3032 is considering the issuance of a declaratory statement with  
3033 respect to the declaration of condominium or any related  
3034 document governing such condominium community.

3035           (i) The division shall furnish each association that pays  
3036 the fees required by paragraph (2)(a) a copy of this chapter, as  
3037 amended, and the rules adopted thereto on an annual basis.

3038           (j) The division shall annually provide each association  
3039 with a summary of declaratory statements and formal legal  
3040 opinions relating to the operations of condominiums which were  
3041 rendered by the division during the previous year.

3042           (k) The division shall provide training and educational  
3043 programs for condominium association board members and unit  
3044 owners. The training may, in the division's discretion, include  
3045 web-based electronic media and live training and seminars in  
3046 various locations throughout the state. The division may review  
3047 and approve education and training programs for board members  
3048 and unit owners offered by providers and shall maintain a  
3049 current list of approved programs and providers and make such  
3050 list available to board members and unit owners in a reasonable

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and cost-effective manner. The division shall provide the division-approved provider with the template certificate for issuance directly to the association's board of directors who have satisfactorily completed the requirements under s. 718.112(2) (d). The division shall adopt rules to implement this section.

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

(m) The division shall develop a program to certify both volunteer and paid mediators to provide mediation of condominium disputes. The division shall provide, upon request, a list of such mediators to any association, unit owner, or other participant in alternative dispute resolution proceedings under s. 718.1255 requesting a copy of the list. The division shall include on the list of volunteer mediators only the names of persons who have received at least 20 hours of training in mediation techniques or who have mediated at least 20 disputes. In order to become initially certified by the division, paid mediators must be certified by the Supreme Court to mediate court cases in county or circuit courts. However, the division may adopt ~~7~~ by rule ~~7~~ additional factors for the certification of paid mediators, which must be related to experience, education, or background. Any person initially certified as a paid mediator by the division must, in order to continue to be certified, comply with the factors or requirements adopted by rule.

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(n) If a complaint is made, the division must conduct its inquiry with due regard for the interests of the affected parties. Within 30 days after receipt of a complaint, the division shall acknowledge the complaint in writing and notify the complainant whether the complaint is within the jurisdiction of the division and whether additional information is needed by the division from the complainant. The division shall conduct its investigation and, within 90 days after receipt of the original complaint or of timely requested additional information, take action upon the complaint. However, the failure to complete the investigation within 90 days does not prevent the division from continuing the investigation, accepting or considering evidence obtained or received after 90 days, or taking administrative action if reasonable cause exists to believe that a violation of this chapter or a rule has occurred. If an investigation is not completed within the time limits established in this paragraph, the division shall, on a monthly basis, notify the complainant in writing of the status of the investigation. When reporting its action to the complainant, the division shall inform the complainant of any right to a hearing under ss. 120.569 and 120.57. The division may adopt rules regarding the submission of a complaint against an association.

(o) Condominium association directors, officers, and employees; condominium developers; bulk assignees, bulk buyers,

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3101 and community association managers; and community association  
3102 management firms have an ongoing duty to reasonably cooperate  
3103 with the division in any investigation under this section. The  
3104 division shall refer to local law enforcement authorities any  
3105 person whom the division believes has altered, destroyed,  
3106 concealed, or removed any record, document, or thing required to  
3107 be kept or maintained by this chapter with the purpose to impair  
3108 its verity or availability in the department's investigation.  
3109 The division shall refer to local law enforcement authorities  
3110 any person whom the division believes has engaged in fraud,  
3111 theft, embezzlement, or other criminal activity or when the  
3112 division has cause to believe that fraud, theft, embezzlement,  
3113 or other criminal activity has occurred.

3114 (p) The division director or any officer or employee of  
3115 the division and the condominium ombudsman or any employee of  
3116 the Office of the Condominium Ombudsman may attend and observe  
3117 any meeting of the board of administration or any unit owner  
3118 meeting, including any meeting of a subcommittee or special  
3119 committee, which is open to members of the association for the  
3120 purpose of performing the duties of the division or the Office  
3121 of the Condominium Ombudsman under this chapter.

3122 (q) The division may:

- 3123 1. Contract with agencies in this state or other  
3124 jurisdictions to perform investigative functions; or  
3125 2. Accept grants-in-aid from any source.

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3126           (r) The division shall cooperate with similar agencies in  
3127 other jurisdictions to establish uniform filing procedures and  
3128 forms, public offering statements, advertising standards, and  
3129 rules and common administrative practices.

3130           (s) The division shall consider notice to a developer,  
3131 bulk assignee, or bulk buyer to be complete when it is delivered  
3132 to the address of the developer, bulk assignee, or bulk buyer  
3133 currently on file with the division.

3134           (t) In addition to its enforcement authority, the division  
3135 may issue a notice to show cause, which must provide for a  
3136 hearing, upon written request, in accordance with chapter 120.

3137           (u) If the division receives a complaint regarding access  
3138 to official records on the association's website or through an  
3139 application that can be downloaded on a mobile device under s.  
3140 718.111(12)(g), the division may request access to the  
3141 association's website or application and investigate. The  
3142 division may adopt rules to carry out this paragraph.

3143           (v) The division shall submit to the Governor, the  
3144 President of the Senate, the Speaker of the House of  
3145 Representatives, and the chairs of the legislative  
3146 appropriations committees an annual report that includes, but  
3147 need not be limited to, the number of training programs provided  
3148 for condominium association board members and unit owners, the  
3149 number of complaints received by type, the number and percent of  
3150 complaints acknowledged in writing within 30 days and the number

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and percent of investigations acted upon within 90 days in accordance with paragraph (n), and the number of investigations exceeding the 90-day requirement. The annual report must also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. After December 31, 2024, the division must include a list of the associations that have completed the structural integrity reserve study required under s. 718.112(2)(g). The report shall be submitted by September 30 following the end of the fiscal year.

(2)

(d) Each condominium association must create and maintain an online account with the division, as required in subsection (3).

(3) On or before October 1, 2025, all condominium associations must create and maintain an online account with the division and provide information requested by the division in an electronic format determined by the division. The division shall adopt rules to implement this subsection. The division may require condominium associations to provide such information no more than once per year, except that the division may require condominium associations to update the contact information in paragraph (a) within 30 days after any change. The division shall provide a condominium association at least a 45-day notice of any requirement to provide any information after the

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condominium association initially creates an online account. The information that the division may require from condominium associations is limited to:

(a) Contact information for the association that includes:

1. Name of the association.

2. The physical address of the condominium property.

3. Mailing address and county of the association.

4. E-mail address and telephone number for the association.

5. Name and board title for each member of the association's board.

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

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

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

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

2. Total number of units.

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

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



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3201        (c) The association's assessments, including the:  
3202        1. Amount of assessment or special assessment by unit  
3203 type, including reserves.  
3204        2. Purpose of the assessment or special assessment.  
3205        3. Name of the financial institution or institutions with  
3206 which the association maintains accounts.

3207        (d) A copy of any structural integrity reserve study and  
3208 any associated materials requested by the department within 5  
3209 business days after such request, in a manner prescribed by the  
3210 department.

3211        ~~(a) On or before January 1, 2023, condominium associations~~  
3212 ~~existing on or before July 1, 2022, must provide the following~~  
3213 ~~information to the division in writing, by e-mail, United States~~  
3214 ~~Postal Service, commercial delivery service, or hand delivery,~~  
3215 ~~at a physical address or e-mail address provided by the division~~  
3216 ~~and on a form posted on the division's website:~~

3217        ~~1. The number of buildings on the condominium property~~  
3218 ~~that are three stories or higher in height.~~  
3219        ~~2. The total number of units in all such buildings.~~  
3220        ~~3. The addresses of all such buildings.~~  
3221        ~~4. The counties in which all such buildings are located.~~

3222        ~~(b) The division must compile a list of the number of~~  
3223 ~~buildings on condominium property that are three stories or~~  
3224 ~~higher in height, which is searchable by county, and must post~~  
3225 ~~the list on the division's website. This list must include all~~

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~~of the following information:~~

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

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

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

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

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

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

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

(1) DEVELOPER DISCLOSURE.—

(d) *Milestone inspection, turnover inspection report, or structural integrity reserve study.*—If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit

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shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR- PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND

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3276 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15  
3277 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE  
3278 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

3279 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY  
3280 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO  
3281 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL  
3282 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
3283 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-  
3284 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
3285 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
3286 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
3287 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
3288 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
3289 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND  
3290 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED  
3291 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
3292 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15  
3293 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER  
3294 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED  
3295 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN  
3296 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER  
3297 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q),  
3298 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT  
3299 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS  
3300 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN

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WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

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

(2) NONDEVELOPER DISCLOSURE.—

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

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

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL

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3326 STATEMENT AND ANNUAL BUDGET, AND FREQUENTLY ASKED QUESTIONS AND  
3327 ANSWERS DOCUMENT IF SO REQUESTED IN WRITING. ANY PURPORTED  
3328 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
3329 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 7  
3330 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER  
3331 THE BUYER RECEIVES THE DECLARATION, ARTICLES OF INCORPORATION,  
3332 BYLAWS AND RULES OF THE ASSOCIATION, AND A COPY OF THE MOST  
3333 RECENT YEAR-END FINANCIAL STATEMENT AND ANNUAL BUDGET  
3334 ~~INFORMATION~~ AND FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT  
3335 IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT  
3336 SHALL TERMINATE AT CLOSING.

3337  
3338 A contract that does not conform to the requirements of this  
3339 paragraph is voidable at the option of the purchaser before  
3340 ~~prior to~~ closing.

3341 (e) If the association is required to have completed a  
3342 milestone inspection as described in s. 553.899, a turnover  
3343 inspection report for a turnover inspection performed on or  
3344 after July 1, 2023, or a structural integrity reserve study, and  
3345 the association has not completed the milestone inspection, the  
3346 turnover inspection report, or the structural integrity reserve  
3347 study, each contract entered into after December 31, 2024, for  
3348 the sale of a residential unit shall contain in conspicuous type  
3349 a statement indicating that the association is required to have  
3350 a milestone inspection, a turnover inspection report, or a

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3351 structural integrity reserve study and has not completed such  
3352 inspection, report, or study, as appropriate. If the association  
3353 is not required to have a milestone inspection as described in  
3354 s. 553.899 or a structural integrity reserve study, each  
3355 contract entered into after December 31, 2024, for the sale of a  
3356 residential unit shall contain in conspicuous type a statement  
3357 indicating that the association is not required to have a  
3358 milestone inspection or a structural integrity reserve study, as  
3359 appropriate. If the association has completed a milestone  
3360 inspection as described in s. 553.899, a turnover inspection  
3361 report for a turnover inspection performed on or after July 1,  
3362 2023, or a structural integrity reserve study, each contract  
3363 entered into after December 31, 2024, for the resale of a  
3364 residential unit shall contain in conspicuous type:

3365 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES  
3366 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-  
3367 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
3368 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
3369 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
3370 718.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
3371 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
3372 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND  
3373 718.112(2) (g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 7 ~~3~~  
3374 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE  
3375 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

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2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-  
PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.



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3401 A contract that does not conform to the requirements of this  
3402 paragraph is voidable at the option of the purchaser before  
3403 ~~prior to~~ closing.

3404 Section 18. Section 8 of chapter 2024-244, Laws of  
3405 Florida, is amended to read:

3406 Section 8. Effective January 1, 2026, paragraph (g) of  
3407 subsection (12) of section 718.111, Florida Statutes, as amended  
3408 by this act, is amended to read:

3409 718.111 The association.—

3410 (12) OFFICIAL RECORDS.—

3411 (g)1. An association managing a condominium with 25 or  
3412 more units which does not contain timeshare units shall post  
3413 digital copies of the documents specified in subparagraph 2. on  
3414 its website or make such documents available through an  
3415 application that can be downloaded on a mobile device. Unless a  
3416 shorter period is otherwise required, a document must be made  
3417 available on the association's website or made available for  
3418 download through an application on a mobile device within 30  
3419 days after the association receives or creates an official  
3420 record specified in subparagraph 2.

3421 a. The association's website or application must be:

3422 (I) An independent website, application, or web portal  
3423 wholly owned and operated by the association; or

3424 (II) A website, application, or web portal operated by a  
3425 third-party provider with whom the association owns, leases,

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

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

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

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

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

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

c. The articles of incorporation of the association, or other documents creating the association, and each amendment to

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the articles of incorporation or other documents. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.

d. The rules of the association.

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

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

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

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

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

~~j.h.~~ The certification of each director required by s.

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3476 718.112(2)(d)4.b.

3477 ~~k.i.~~ All contracts or transactions between the association  
3478 and any director, officer, corporation, firm, or association  
3479 that is not an affiliated condominium association or any other  
3480 entity in which an association director is also a director or  
3481 officer and financially interested.

3482 ~~l.j.~~ Any contract or document regarding a conflict of  
3483 interest or possible conflict of interest as provided in ss.  
3484 468.4335, 468.436(2)(b)6., and 718.3027(3).

3485 ~~m.k.~~ The notice of any unit owner meeting and the agenda  
3486 for the meeting, as required by s. 718.112(2)(d)3., no later  
3487 than 14 days before the meeting. The notice must be posted in  
3488 plain view on the front page of the website or application, or  
3489 on a separate subpage of the website or application labeled  
3490 "Notices" which is conspicuously visible and linked from the  
3491 front page. The association must also post on its website or  
3492 application any document to be considered and voted on by the  
3493 owners during the meeting or any document listed on the agenda  
3494 at least 7 days before the meeting at which the document or the  
3495 information within the document will be considered.

3496 ~~n.l.~~ Notice of any board meeting, the agenda, and any  
3497 other document required for the meeting as required by s.  
3498 718.112(2)(c), which must be posted no later than the date  
3499 required for notice under s. 718.112(2)(c).

3500 ~~o.m.~~ The inspection reports described in ss. 553.899 and

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718.301(4) (p) and any other inspection report relating to a structural or life safety inspection of condominium property.

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

~~q.o.~~ Copies of all building permits issued for ongoing or planned construction.

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

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

Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted under this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

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

Section 19. Section 31 of chapter 2024-244, Laws of

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Florida, is amended to read:

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

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

719.104 Cooperatives; access to units; records; financial reports; assessments; purchase of leases.—

(13) INVESTMENT OF ASSOCIATION FUNDS.—

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

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

Section 21. Paragraphs (j) and (k) of subsection (1) of

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section 719.106, Florida Statutes, are amended to read:

719.106 Bylaws; cooperative ownership.—

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

(j) *Annual budget.*—

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

2.a. In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but not be limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and for any other items for which the deferred maintenance expense or replacement cost exceeds \$25,000 or the inflation-adjusted amount determined by the division under subparagraph 6., whichever amount is greater ~~\$10,000~~. The amount to be reserved must be computed by means of

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3576 a formula which is based upon estimated remaining useful life  
3577 and estimated replacement cost or deferred maintenance expense  
3578 of the reserve item. In a budget adopted by an association that  
3579 is required to obtain a structural integrity reserve study,  
3580 reserves must be maintained for the items identified in  
3581 paragraph (k) for which the association is responsible pursuant  
3582 to the declaration, and the reserve amount for such items must  
3583 be based on the findings and recommendations of the  
3584 association's most recent structural integrity reserve study.  
3585 With respect to items for which an estimate of useful life is  
3586 not readily ascertainable or with an estimated remaining useful  
3587 life of greater than 25 years, an association is not required to  
3588 reserve replacement costs for such items, but an association  
3589 must reserve the amount of deferred maintenance expense, if any,  
3590 which is recommended by the structural integrity reserve study  
3591 for such items. The association may adjust replacement reserve  
3592 assessments annually to take into account an inflation  
3593 adjustment and any changes in estimates or extension of the  
3594 useful life of a reserve item caused by deferred maintenance.

3595     b. The members of a unit-owner-controlled association may  
3596 determine, by a majority vote of the total voting interests of  
3597 the association, for a fiscal year to provide no reserves or  
3598 reserves less adequate than required by this subsection. Before  
3599 turnover of control of an association by a developer to unit  
3600 owners other than a developer under s. 719.301, the developer-



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3601 controlled association may not vote to waive the reserves or  
3602 reduce funding of the reserves.

3603 c. For a budget adopted on or after December 31, 2024, a  
3604 unit-owner-controlled association that must obtain a structural  
3605 integrity reserve study may not determine to provide no reserves  
3606 or reserves less adequate than required by this paragraph for  
3607 items listed in paragraph (k). If a meeting of the unit owners  
3608 has been called to determine to provide no reserves, or reserves  
3609 less adequate than required, and such result is not attained or  
3610 a quorum is not attained, the reserves as included in the budget  
3611 shall go into effect.

3612 d. If the local building official as defined in s.  
3613 468.603, determines that the entire cooperative building is  
3614 uninhabitable due to a natural emergency as defined in s.  
3615 252.34, the board may pause the contribution to its reserves or  
3616 reduce reserve funding until the local building official  
3617 determines that the cooperative building is habitable. Any  
3618 reserve account funds held by the association may be expended,  
3619 pursuant to the board's determination, to make the cooperative  
3620 building and its structures habitable. Upon the determination by  
3621 the local building official that the cooperative building is  
3622 habitable, the association must immediately resume contributing  
3623 funds to its reserves.

3624 3.a.(I) Reserves for the items identified in paragraph (g)  
3625 may be funded by regular assessments, special assessments, lines

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of credit, or loans. A special assessment, a line of credit, or a loan under this sub-subparagraph requires the approval of a majority vote of the total voting interests of the association.

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

b. For a budget adopted on or before December 31, 2028, if the association has completed a milestone inspection pursuant to s. 553.899 within the previous 2 calendar years, the board, upon the approval of a majority of the total voting interests of the association, may temporarily pause, for a period of no more than

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two consecutive annual budgets, reserve fund contributions or  
reduce the amount of reserve funding for the purpose of funding  
repairs recommended by the milestone inspection. This sub-  
subparagraph does not apply to a developer-controlled  
association and an association in which the nondeveloper unit  
owners have been in control for less than 1 year. An association  
that has paused reserve contributions under this sub-  
subparagraph must have a structural integrity reserve study  
performed before the continuation of reserve contributions in  
order to determine the association's reserve funding needs and  
to recommend a reserve funding plan.

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

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3676 (k) .

3677 5. An association's reserve accounts may be pooled for two  
3678 or more required components. Reserve funding for components  
3679 identified in paragraph (g) may only be pooled with other  
3680 components identified in paragraph (g). The reserve funding  
3681 indicated in the proposed annual budget must be sufficient to  
3682 ensure that available funds meet or exceed projected expenses  
3683 for all components in the reserve pool based on the reserve  
3684 funding plan or schedule of the most recent structural integrity  
3685 reserve study. A vote of the members is not required for the  
3686 board to change the accounting method for reserves to a pooling  
3687 accounting method or a straight-line accounting method.

3688 6. The division shall annually adjust for inflation, based  
3689 on the Consumer Price Index for All Urban Consumers released in  
3690 January of each year, the minimum \$25,000 threshold amount for  
3691 required reserves. By February 1, 2026, and annually thereafter,  
3692 the division must conspicuously post on its website the  
3693 inflation-adjusted minimum threshold amount for required  
3694 reserves.

3695 (k) *Structural integrity reserve study.*—

3696 1. A residential cooperative association must have a  
3697 structural integrity reserve study completed at least every 10  
3698 years for each building on the cooperative property that is  
3699 three habitable stories or higher in height, as determined by  
3700 the Florida Building Code, that includes, at a minimum, a study

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of the following items as related to the structural integrity and safety of the building:

a. Roof.

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

c. Fireproofing and fire protection systems.

d. Plumbing.

e. Electrical systems.

f. Waterproofing and exterior painting.

g. Windows and exterior doors.

h. Any other item that has a deferred maintenance expense or replacement cost that exceeds \$25,000 or the inflation-adjusted amount determined by the division under subparagraph (j)6., whichever is greater, ~~\$10,000~~ and the failure to replace or maintain such item negatively affects the items listed in sub-subparagraphs a.-g., as determined by the visual inspection portion of the structural integrity reserve study.

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

3.a. A structural integrity reserve study ~~may be performed by any person qualified to perform such study. However,~~ including the visual inspection portion of the structural integrity reserve study, must be performed or verified by an engineer licensed under chapter 471, an architect licensed under

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chapter 481, or a person certified as a reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts.

b. Any design professional as defined in s. 558.002(7) or contractor licensed under chapter 489 who bids to perform a structural integrity reserve study must disclose in writing to the association his or her intent to bid on any services related to any maintenance, repair, or replacement that may be recommended by the structural integrity reserve study. Any design professional as defined in s. 558.002 or contractor licensed under chapter 489 who submits a bid to the association for performing any services recommended by the structural integrity reserve study may not have an interest, directly or indirectly, in the firm or entity providing the association's structural integrity reserve study or be a relative of any person having a direct or indirect interest in such firm, unless such relationship is disclosed to the association in writing. As used in this section, the term "relative" means a relative within the third degree of consanguinity by blood or marriage. A contract for services is voidable and terminates upon the association filing a written notice terminating the contract if the design professional or licensed contractor failed to provide the written disclosure of the relationship required under this paragraph. A design professional or licensed contractor may be subject to discipline under the applicable practice act for his

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3751 or her profession for failure to provide the written disclosure  
3752 of the relationship required under this subparagraph.

3753 4.a.3. At a minimum, a structural integrity reserve study  
3754 must identify each item of the cooperative property being  
3755 visually inspected, state the estimated remaining useful life  
3756 and the estimated replacement cost or deferred maintenance  
3757 expense of each item of the cooperative property being visually  
3758 inspected, and provide a reserve funding schedule with a  
3759 recommended annual reserve amount that achieves the estimated  
3760 replacement cost or deferred maintenance expense of each item of  
3761 cooperative property being visually inspected by the end of the  
3762 estimated remaining useful life of the item. The structural  
3763 integrity reserve study may recommend that reserves do not need  
3764 to be maintained for any item for which an estimate of useful  
3765 life and an estimate of replacement cost cannot be determined,  
3766 or the study may recommend a deferred maintenance expense amount  
3767 for such item. At a minimum, the structural integrity reserve  
3768 study must include a recommendation for a reserve funding  
3769 schedule based on a baseline funding plan that provides a  
3770 reserve funding goal in which the reserve funding for each  
3771 budget year is sufficient to maintain the reserve cash balance  
3772 above zero. The study may recommend other types of reserve  
3773 funding schedules, provided that each recommended schedule is  
3774 sufficient to meet the association's maintenance obligation.

3775 b. The structural integrity reserve study may recommend

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3776 that reserves for replacement costs do not need to be maintained  
3777 for any item with an estimated remaining useful life of greater  
3778 than 25 years, but the study may recommend a deferred  
3779 maintenance expense amount for such item. If the structural  
3780 integrity reserve study recommends reserves for any item for  
3781 which reserves are not required under this paragraph, the amount  
3782 of the recommended reserves for such item must be separately  
3783 identified in the structural integrity reserve study as an item  
3784 for which reserves are not required under this paragraph.

3785 c. The structural integrity reserve study must take into  
3786 consideration the funding method or methods used by the  
3787 association to fund its maintenance and reserve funding  
3788 obligations through regular assessments, special assessments,  
3789 lines of credit, or loans. If the structural integrity reserve  
3790 study is performed before the association has approved a special  
3791 assessment or secured a line of credit or a loan, the structural  
3792 integrity reserve study must be updated to reflect the funding  
3793 method selected by the association and its effect on the reserve  
3794 funding schedule, including any anticipated change in the amount  
3795 of regular assessments. The structural integrity reserve study  
3796 may be updated to reflect any changes to the useful life of the  
3797 reserve items after such items are repaired or replaced, and the  
3798 effect such repair or replacement will have on the reserve  
3799 funding schedule. The association must obtain an updated  
3800 structural integrity reserve study before adopting any budget in



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3801 which the reserve funding from regular assessments, special  
3802 assessments, lines of credit, or loans do not align with the  
3803 funding plan from the most recent version of the structural  
3804 integrity reserve study.

3805 5.4. This paragraph does not apply to buildings less than  
3806 three stories in height; single-family, two-family, ~~or~~ three-  
3807 family, or four-family dwellings with three or fewer habitable  
3808 stories above ground; any portion or component of a building  
3809 that has not been submitted to the cooperative form of  
3810 ownership; or any portion or component of a building that is  
3811 maintained by a party other than the association.

3812 6.5. Before a developer turns over control of an  
3813 association to unit owners other than the developer, the  
3814 developer must have a turnover inspection report in compliance  
3815 with s. 719.301(4)(p) and (q) for each building on the  
3816 cooperative property that is three stories or higher in height.

3817 7.6. Associations existing on or before July 1, 2022,  
3818 which are controlled by unit owners other than the developer,  
3819 must have a structural integrity reserve study completed by  
3820 December 31, 2024, for each building on the cooperative property  
3821 that is three stories or higher in height. An association that  
3822 is required to complete a milestone inspection on or before  
3823 December 31, 2026, in accordance with s. 553.899 may complete  
3824 the structural integrity reserve study simultaneously with the  
3825 milestone inspection. In no event may the structural integrity

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reserve study be completed after December 31, 2026.

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

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

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

~~11.9.~~ Within 45 days after receiving the structural integrity reserve study, the association must distribute a copy of the study to each unit owner or deliver to each unit owner a

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notice that the completed study is available for inspection and copying upon a written request. Distribution of a copy of the study or notice must be made by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under this chapter, or by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission.

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

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

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

719.128 Association emergency powers.—

(1) To the extent allowed by law, unless specifically

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prohibited by the cooperative documents, and consistent with s. 617.0830, the board of administration, in response to damage or injury caused by or anticipated in connection with an emergency, as defined in s. 252.34(4), for which a state of emergency is declared pursuant to s. 252.36 in the area encompassed by the cooperative, may exercise the following powers:

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

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

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

(1) The Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation, referred to as the "division" in this part, in addition to other powers and duties prescribed by chapter 718,

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3901 has the power to enforce and ensure compliance with this chapter  
3902 and adopted rules relating to the development, construction,  
3903 sale, lease, ownership, operation, and management of residential  
3904 cooperative units; complaints related to the procedural  
3905 completion of the structural integrity reserve studies under s.  
3906 719.106(1)(k); and complaints related to the procedural  
3907 completion of milestone inspections under s. 553.899. In  
3908 performing its duties, the division shall have the following  
3909 powers and duties:

3910       (a) The division may make necessary public or private  
3911 investigations within or outside this state to determine whether  
3912 any person has violated this chapter or any rule or order  
3913 hereunder, to aid in the enforcement of this chapter, or to aid  
3914 in the adoption of rules or forms hereunder.

3915       (b) The division may require or permit any person to file  
3916 a statement in writing, under oath or otherwise, as the division  
3917 determines, as to the facts and circumstances concerning a  
3918 matter to be investigated.

3919       (c) For the purpose of any investigation under this  
3920 chapter, the division director or any officer or employee  
3921 designated by the division director may administer oaths or  
3922 affirmations, subpoena witnesses and compel their attendance,  
3923 take evidence, and require the production of any matter which is  
3924 relevant to the investigation, including the existence,  
3925 description, nature, custody, condition, and location of any

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books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of material evidence. Upon failure by a person to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the division may apply to the circuit court for an order compelling compliance.

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

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

2. The division may issue an order requiring the developer, association, officer, or member of the board, or its assignees or agents, to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the division will carry out the purposes of this chapter. Such

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3951 affirmative action may include, but is not limited to, an order  
3952 requiring a developer to pay moneys determined to be owed to a  
3953 condominium association.

3954 3. The division may bring an action in circuit court on  
3955 behalf of a class of unit owners, lessees, or purchasers for  
3956 declaratory relief, injunctive relief, or restitution.

3957 4. The division may impose a civil penalty against a  
3958 developer or association, or its assignees or agents, for any  
3959 violation of this chapter or related rule. The division may  
3960 impose a civil penalty individually against any officer or board  
3961 member who willfully and knowingly violates a provision of this  
3962 chapter, a rule adopted pursuant to this chapter, or a final  
3963 order of the division. The term "willfully and knowingly" means  
3964 that the division informed the officer or board member that his  
3965 or her action or intended action violates this chapter, a rule  
3966 adopted under this chapter, or a final order of the division,  
3967 and that the officer or board member refused to comply with the  
3968 requirements of this chapter, a rule adopted under this chapter,  
3969 or a final order of the division. The division, prior to  
3970 initiating formal agency action under chapter 120, shall afford  
3971 the officer or board member an opportunity to voluntarily comply  
3972 with this chapter, a rule adopted under this chapter, or a final  
3973 order of the division. An officer or board member who complies  
3974 within 10 days is not subject to a civil penalty. A penalty may  
3975 be imposed on the basis of each day of continuing violation, but

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3976 | in no event shall the penalty for any offense exceed \$5,000. The  
3977 | division shall adopt~~7~~ by rule~~7~~ penalty guidelines applicable to  
3978 | possible violations or to categories of violations of this  
3979 | chapter or rules adopted by the division. The guidelines must  
3980 | specify a meaningful range of civil penalties for each such  
3981 | violation of the statute and rules and must be based upon the  
3982 | harm caused by the violation, upon the repetition of the  
3983 | violation, and upon such other factors deemed relevant by the  
3984 | division. For example, the division may consider whether the  
3985 | violations were committed by a developer or owner-controlled  
3986 | association, the size of the association, and other factors. The  
3987 | guidelines must designate the possible mitigating or aggravating  
3988 | circumstances that justify a departure from the range of  
3989 | penalties provided by the rules. It is the legislative intent  
3990 | that minor violations be distinguished from those which endanger  
3991 | the health, safety, or welfare of the cooperative residents or  
3992 | other persons and that such guidelines provide reasonable and  
3993 | meaningful notice to the public of likely penalties that may be  
3994 | imposed for proscribed conduct. This subsection does not limit  
3995 | the ability of the division to informally dispose of  
3996 | administrative actions or complaints by stipulation, agreed  
3997 | settlement, or consent order. All amounts collected shall be  
3998 | deposited with the Chief Financial Officer to the credit of the  
3999 | Division of Florida Condominiums, Timeshares, and Mobile Homes  
4000 | Trust Fund. If a developer fails to pay the civil penalty, the



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4001 division shall thereupon issue an order directing that such  
4002 developer cease and desist from further operation until such  
4003 time as the civil penalty is paid or may pursue enforcement of  
4004 the penalty in a court of competent jurisdiction. If an  
4005 association fails to pay the civil penalty, the division shall  
4006 thereupon pursue enforcement in a court of competent  
4007 jurisdiction, and the order imposing the civil penalty or the  
4008 cease and desist order shall not become effective until 20 days  
4009 after the date of such order. Any action commenced by the  
4010 division shall be brought in the county in which the division  
4011 has its executive offices or in the county where the violation  
4012 occurred.

4013       (e) The division may prepare and disseminate a prospectus  
4014 and other information to assist prospective owners, purchasers,  
4015 lessees, and developers of residential cooperatives in assessing  
4016 the rights, privileges, and duties pertaining thereto.

4017       (f) The division has authority to adopt rules pursuant to  
4018 ss. 120.536(1) and 120.54 to implement and enforce the  
4019 provisions of this chapter.

4020       (g) The division shall establish procedures for providing  
4021 notice to an association when the division is considering the  
4022 issuance of a declaratory statement with respect to the  
4023 cooperative documents governing such cooperative community.

4024       (h) The division shall furnish each association which pays  
4025 the fees required by paragraph (2)(a) a copy of this act,

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subsequent changes to this act on an annual basis, an amended version of this act as it becomes available from the Secretary of State's office on a biennial basis, and the rules adopted thereto on an annual basis.

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

(j) The division shall adopt uniform accounting principles, policies, and standards to be used by all associations in the preparation and presentation of all financial statements required by this chapter. The principles, policies, and standards shall take into consideration the size of the association and the total revenue collected by the association.

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

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4051           (1) The division shall maintain a toll-free telephone  
4052 number accessible to cooperative unit owners.

4053           (m) When a complaint is made to the division, the division  
4054 shall conduct its inquiry with reasonable dispatch and with due  
4055 regard to the interests of the affected parties. Within 30 days  
4056 after receipt of a complaint, the division shall acknowledge the  
4057 complaint in writing and notify the complainant whether the  
4058 complaint is within the jurisdiction of the division and whether  
4059 additional information is needed by the division from the  
4060 complainant. The division shall conduct its investigation and  
4061 shall, within 90 days after receipt of the original complaint or  
4062 timely requested additional information, take action upon the  
4063 complaint. However, the failure to complete the investigation  
4064 within 90 days does not prevent the division from continuing the  
4065 investigation, accepting or considering evidence obtained or  
4066 received after 90 days, or taking administrative action if  
4067 reasonable cause exists to believe that a violation of this  
4068 chapter or a rule of the division has occurred. If an  
4069 investigation is not completed within the time limits  
4070 established in this paragraph, the division shall, on a monthly  
4071 basis, notify the complainant in writing of the status of the  
4072 investigation. When reporting its action to the complainant, the  
4073 division shall inform the complainant of any right to a hearing  
4074 pursuant to ss. 120.569 and 120.57.

4075           (n) The division shall develop a program to certify both

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4076 volunteer and paid mediators to provide mediation of cooperative  
4077 disputes. The division shall provide, upon request, a list of  
4078 such mediators to any association, unit owner, or other  
4079 participant in arbitration proceedings under s. 718.1255  
4080 requesting a copy of the list. The division shall include on the  
4081 list of voluntary mediators only persons who have received at  
4082 least 20 hours of training in mediation techniques or have  
4083 mediated at least 20 disputes. In order to become initially  
4084 certified by the division, paid mediators must be certified by  
4085 the Supreme Court to mediate court cases in county or circuit  
4086 courts. However, the division may adopt~~7~~ by rule~~7~~ additional  
4087 factors for the certification of paid mediators, which factors  
4088 must be related to experience, education, or background. Any  
4089 person initially certified as a paid mediator by the division  
4090 must, in order to continue to be certified, comply with the  
4091 factors or requirements imposed by rules adopted by the  
4092 division.

4093 (2)

4094 (c) A cooperative association shall create and maintain an  
4095 online account with the division, as required in subsection (3).

4096 (3) On or before October 1, 2025, all cooperative  
4097 associations shall create and maintain an online account with  
4098 the division and provide information requested by the division  
4099 in an electronic format determined by the division. The division  
4100 shall adopt rules to implement this subsection. The division may

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require cooperative associations to provide such information no more than once per year, except that the division may require cooperative associations to update their contact information in paragraph (a) within 30 days after any change. The division shall provide a cooperative association at least a 45-day notice of any requirement to provide any required information after the cooperative association creates an online account. The information that the division may require associations to provide is limited to:

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

1. The name of the association.
2. The physical address of the cooperative property.
3. The mailing address and county of the association.
4. The e-mail address and telephone number for the association.
5. The name and board title for each member of the association's board.
6. The name and contact information of the association's community association manager or community association management firm, if applicable.
7. The hyperlink or website address of the association's website, if applicable.

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

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

2. The total number of units.

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

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

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

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

2. Purpose of the assessment or special assessment.

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

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

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

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

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

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

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

~~(b) The division must compile a list of the number of buildings on cooperative property that are three stories or higher in height, which is searchable by county, and must post the list on the division's website. This list must include all of the following information:~~

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

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

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

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

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

Section 24. Paragraph (d) of subsection (1) and paragraphs (c) and (d) of subsection (2) of section 719.503, Florida Statutes, are amended to read:

719.503 Disclosure prior to sale.—

(1) DEVELOPER DISCLOSURE.—

(d) *Milestone inspection, turnover inspection report, or structural integrity reserve study.*—If the association is required to have completed a milestone inspection as described

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in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-



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4201 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
 4202 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
 4203 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
 4204 719.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
 4205 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
 4206 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND  
 4207 719.106(1) (k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15  
 4208 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE  
 4209 ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and  
 4210       2. A clause which states: THIS AGREEMENT IS VOIDABLE BY  
 4211 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO  
 4212 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL  
 4213 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
 4214 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-  
 4215 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
 4216 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
 4217 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
 4218 719.301(4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
 4219 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
 4220 RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND  
 4221 719.106(1) (k), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED  
 4222 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
 4223 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15  
 4224 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER  
 4225 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED

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SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

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

(2) NONDEVELOPER DISCLOSURE.—

(c) Each contract entered into after July 1, 1992, for the resale of an interest in a cooperative shall contain in conspicuous type either:

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

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL

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4251   HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
4252   BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE ARTICLES OF  
4253   INCORPORATION, BYLAWS, AND RULES OF THE ASSOCIATION, AND  
4254   QUESTION AND ANSWER SHEET, IF SO REQUESTED IN WRITING. ANY  
4255   PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO  
4256   EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF  
4257   NOT MORE THAN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL  
4258   HOLIDAYS, AFTER THE BUYER RECEIVES THE ARTICLES OF  
4259   INCORPORATION, BYLAWS, RULES, AND QUESTION AND ANSWER SHEET, IF  
4260   REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL  
4261   TERMINATE AT CLOSING.

4262  
4263   A contract that does not conform to the requirements of this  
4264   paragraph is voidable at the option of the purchaser before  
4265   ~~prior to~~ closing.

4266       (d) If the association is required to have completed a  
4267   milestone inspection as described in s. 553.899, a turnover  
4268   inspection report for a turnover inspection performed on or  
4269   after July 1, 2023, or a structural integrity reserve study, and  
4270   the association has not completed the milestone inspection, the  
4271   turnover inspection report, or the structural integrity reserve  
4272   study, each contract entered into after December 31, 2024, for  
4273   the sale of a residential unit shall contain in conspicuous type  
4274   a statement indicating that the association is required to have  
4275   a milestone inspection, a turnover inspection report, or a

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structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, BEFORE ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

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

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4326 A contract that does not conform to the requirements of this  
4327 paragraph is voidable at the option of the purchaser before  
4328 ~~prior to~~ closing.

4329 Section 25. Subsection (3) of section 914.21, Florida  
4330 Statutes, is amended to read:

4331 914.21 Definitions.—As used in ss. 914.22-914.24, the  
4332 term:

4333 (3) "Official investigation" means any investigation  
4334 instituted by a law enforcement agency or prosecuting officer of  
4335 the state or a political subdivision of the state or the  
4336 Commission on Ethics or the Division of Florida Condominiums,  
4337 Timeshares, and Mobile Homes of the Department of Business and  
4338 Professional Regulation.

4339 Section 26. For the purpose of incorporating the amendment  
4340 made by this act to section 468.4335, Florida Statutes, in a  
4341 reference thereto, paragraph (b) of subsection (2) of section  
4342 468.436, Florida Statutes, is reenacted to read:

4343 468.436 Disciplinary proceedings.—

4344 (2) The following acts constitute grounds for which the  
4345 disciplinary actions in subsection (4) may be taken:

4346 (b)1. Violation of this part.

4347 2. Violation of any lawful order or rule rendered or  
4348 adopted by the department or the council.

4349 3. Being convicted of or pleading nolo contendere to a  
4350 felony in any court in the United States.

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

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

6. Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.

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

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

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

718.106 Condominium parcels; appurtenances; possession and enjoyment.—

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

(b) The exclusive right to use such portion of the common elements as may be provided by the declaration, including the right to transfer such right to other units or unit owners to

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the extent authorized by the declaration as originally recorded, or amendments to the declaration adopted pursuant to the provisions contained therein. Amendments to declarations of condominium providing for the transfer of use rights with respect to limited common elements are not amendments that materially modify unit appurtenances as described in s. 718.110(4). However, in order to be effective, the transfer of use rights with respect to limited common elements must be effectuated in conformity with the procedures set forth in the declaration as originally recorded or as amended under the procedures provided therein. This section is intended to clarify existing law and applies to associations existing on the effective date of this act.

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

718.117 Termination of condominium.—

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

Section 29. For the purpose of incorporating the amendment



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made by this act to section 718.110, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 718.403, Florida Statutes, is reenacted to read:

718.403 Phase condominiums.—

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

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

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

718.405 Multicondominiums; multicondominium associations.—

(4) This section does not prevent or restrict the formation of a multicondominium by the merger or consolidation

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of two or more condominium associations. Mergers or consolidations of associations shall be accomplished in accordance with this chapter, the declarations of the condominiums being merged or consolidated, and chapter 617. Section 718.110(4) does not apply to amendments to declarations necessary to effect a merger or consolidation. This section is intended to clarify existing law and applies to associations existing on the effective date of this act.

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

721.13 Management.—

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

(e) Arranging for an annual audit of the financial statements of the timeshare plan by a certified public accountant licensed by the Board of Accountancy of the Department of Business and Professional Regulation, in accordance with generally accepted auditing standards as defined by the rules of the Board of Accountancy of the Department of Business and Professional Regulation. The financial statements required by this section must be prepared on an accrual basis using fund accounting, and must be presented in accordance with generally accepted accounting principles. A copy of the audited

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financial statements must be filed with the division for review and forwarded to the board of directors and officers of the owners' association, if one exists, no later than 5 calendar months after the end of the timeshare plan's fiscal year. If no owners' association exists, each purchaser must be notified, no later than 5 months after the end of the timeshare plan's fiscal year, that a copy of the audited financial statements is available upon request to the managing entity. Notwithstanding any requirement of s. 718.111(13) or s. 719.104(4), the audited financial statements required by this section are the only annual financial reporting requirements for timeshare condominiums or timeshare cooperatives.

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

718.504 Prospectus or offering circular.—Every developer of a residential condominium which contains more than 20 residential units, or which is part of a group of residential condominiums which will be served by property to be used in common by unit owners of more than 20 residential units, shall prepare a prospectus or offering circular and file it with the Division of Florida Condominiums, Timeshares, and Mobile Homes prior to entering into an enforceable contract of purchase and

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4476 sale of any unit or lease of a unit for more than 5 years and  
4477 shall furnish a copy of the prospectus or offering circular to  
4478 each buyer. In addition to the prospectus or offering circular,  
4479 each buyer shall be furnished a separate page entitled  
4480 "Frequently Asked Questions and Answers," which shall be in  
4481 accordance with a format approved by the division and a copy of  
4482 the financial information required by s. 718.111. This page  
4483 shall, in readable language, inform prospective purchasers  
4484 regarding their voting rights and unit use restrictions,  
4485 including restrictions on the leasing of a unit; shall indicate  
4486 whether and in what amount the unit owners or the association is  
4487 obligated to pay rent or land use fees for recreational or other  
4488 commonly used facilities; shall contain a statement identifying  
4489 that amount of assessment which, pursuant to the budget, would  
4490 be levied upon each unit type, exclusive of any special  
4491 assessments, and which shall further identify the basis upon  
4492 which assessments are levied, whether monthly, quarterly, or  
4493 otherwise; shall state and identify any court cases in which the  
4494 association is currently a party of record in which the  
4495 association may face liability in excess of \$100,000; shall  
4496 state whether the condominium is created within a portion of a  
4497 building or within a multiple parcel building; and which shall  
4498 further state whether membership in a recreational facilities  
4499 association is mandatory, and if so, shall identify the fees  
4500 currently charged per unit type. The division shall by rule

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4501     require such other disclosure as in its judgment will assist  
4502     prospective purchasers. The prospectus or offering circular may  
4503     include more than one condominium, although not all such units  
4504     are being offered for sale as of the date of the prospectus or  
4505     offering circular. The prospectus or offering circular must  
4506     contain the following information:

4507            (7)    A description of the recreational and other facilities  
4508     that will be used in common with other condominiums, community  
4509     associations, or planned developments which require the payment  
4510     of the maintenance and expenses of such facilities, directly or  
4511     indirectly, by the unit owners. The description shall include,  
4512     but not be limited to, the following:

4513            (a)    Each building and facility committed to be built and a  
4514     summary description of the structural integrity of each building  
4515     for which reserves are required pursuant to s. 718.112(2)(g).

4516  
4517     Descriptions shall include location, areas, capacities, numbers,  
4518     volumes, or sizes and may be stated as approximations or  
4519     minimums.

4520            (21)    An estimated operating budget for the condominium and  
4521     the association, and a schedule of the unit owner's expenses  
4522     shall be attached as an exhibit and shall contain the following  
4523     information:

4524            (c)    The estimated items of expenses of the condominium and  
4525     the association, except as excluded under paragraph (b),

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including, but not limited to, the following items, which shall be stated as an association expense collectible by assessments or as unit owners' expenses payable to persons other than the association:

1. Expenses for the association and condominium:

a. Administration of the association.

b. Management fees.

c. Maintenance.

d. Rent for recreational and other commonly used facilities.

e. Taxes upon association property.

f. Taxes upon leased areas.

g. Insurance.

h. Security provisions.

i. Other expenses.

j. Operating capital.

k. Reserves for all applicable items referenced in s. 718.112(2)(g).

1. Fees payable to the division.

2. Expenses for a unit owner:

a. Rent for the unit, if subject to a lease.

b. Rent payable by the unit owner directly to the lessor or agent under any recreational lease or lease for the use of commonly used facilities, which use and payment is a mandatory condition of ownership and is not included in the common expense

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4551 or assessments for common maintenance paid by the unit owners to  
4552 the association.

4553 Section 33. For the purpose of incorporating the amendment  
4554 made by this act to section 718.112, Florida Statutes, in a  
4555 reference thereto, paragraph (d) of subsection (1) of section  
4556 718.618, Florida Statutes, is reenacted to read:

4557 718.618 Converter reserve accounts; warranties.—

4558 (1) When existing improvements are converted to ownership  
4559 as a residential condominium, the developer shall establish  
4560 converter reserve accounts for capital expenditures and deferred  
4561 maintenance, or give warranties as provided by subsection (6),  
4562 or post a surety bond as provided by subsection (7). The  
4563 developer shall fund the converter reserve accounts in amounts  
4564 calculated as follows:

4565 (d) In addition to establishing the reserve accounts  
4566 specified above, the developer shall establish those other  
4567 reserve accounts required by s. 718.112(2)(f), and shall fund  
4568 those accounts in accordance with the formula provided therein.  
4569 The vote to waive or reduce the funding or reserves required by  
4570 s. 718.112(2)(f) does not affect or negate the obligations  
4571 arising under this section.

4572 Section 34. For the purpose of incorporating the amendment  
4573 made by this act to section 718.113, Florida Statutes, in a  
4574 reference thereto, paragraph (e) of subsection (1) of section  
4575 718.115, Florida Statutes, is reenacted to read:

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4576           718.115   Common expenses and common surplus.—

4577           (1)

4578           (e)1.   Except as provided in s. 718.113(5)(d), if the  
4579   installation of hurricane protection is the responsibility of  
4580   the unit owners pursuant to the declaration of condominium or a  
4581   vote of the unit owners under s. 718.113(5), the cost of the  
4582   installation of hurricane protection by the association is not a  
4583   common expense and must be charged individually to the unit  
4584   owners based on the cost of installation of hurricane protection  
4585   appurtenant to the unit. The costs of installation of hurricane  
4586   protection are enforceable as an assessment and may be collected  
4587   in the manner provided under s. 718.116.

4588           2.   Notwithstanding s. 718.116(9), and regardless of  
4589   whether the declaration requires the association or unit owners  
4590   to install, maintain, repair, or replace hurricane protection,  
4591   the owner of a unit in which hurricane protection that complies  
4592   with the current applicable building code has been installed is  
4593   excused from any assessment levied by the association or shall  
4594   receive a credit if the same type of hurricane protection is  
4595   installed by the association. A credit is applicable if the  
4596   installation of hurricane protection is for all other units that  
4597   do not have hurricane protection and the cost of such  
4598   installation is funded by the association's budget, including  
4599   the use of reserve funds. The credit must be equal to the amount  
4600   that the unit owner would have been assessed to install the



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hurricane protection. However, such unit owner remains responsible for the pro rata share of expenses for hurricane protection installed on common elements and association property by the board pursuant to s. 718.113(5) and remains responsible for a pro rata share of the expense of the replacement, operation, repair, and maintenance of such hurricane protection. Expenses for the installation, replacement, operation, repair, or maintenance of hurricane protection on common elements and association property are common expenses.

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

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

(1) Before offering more than seven units in a single condominium for sale or for lease for a term exceeding 5 years, a bulk assignee or a bulk buyer must file the following documents with the division and provide such documents to a prospective purchaser or tenant:

(a) An updated prospectus or offering circular, or a supplement to the prospectus or offering circular, filed by the original developer prepared in accordance with s. 718.504, which must include the form of contract for sale and for lease in

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4626 compliance with s. 718.503(2);

4627 (b) An updated Frequently Asked Questions and Answers  
4628 sheet;

4629 (c) The executed escrow agreement if required under s.  
4630 718.202; and

4631 (d) The financial information required by s. 718.111(13).  
4632 However, if a financial information report did not exist before  
4633 the acquisition of title by the bulk assignee or bulk buyer, and  
4634 if accounting records that permit preparation of the required  
4635 financial information report for that period cannot be obtained  
4636 despite good faith efforts by the bulk assignee or the bulk  
4637 buyer, the bulk assignee or bulk buyer is excused from the  
4638 requirement of this paragraph. However, the bulk assignee or  
4639 bulk buyer must include in the purchase contract the following  
4640 statement in conspicuous type:

4641  
4642 ALL OR A PORTION OF THE FINANCIAL INFORMATION REPORT  
4643 REQUIRED UNDER S. 718.111(13) FOR THE TIME PERIOD  
4644 BEFORE THE SELLER'S ACQUISITION OF THE UNIT IS NOT  
4645 AVAILABLE OR CANNOT BE OBTAINED DESPITE THE GOOD FAITH  
4646 EFFORTS OF THE SELLER.

4647  
4648 (3) A bulk assignee, while in control of the board of  
4649 administration of the association, may not authorize, on behalf  
4650 of the association:

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4651           (a) The waiver of reserves or the reduction of funding of  
4652 the reserves pursuant to s. 718.112(2)(f)2., unless approved by  
4653 a majority of the voting interests not controlled by the  
4654 developer, bulk assignee, and bulk buyer; or

4655           (b) The use of reserve expenditures for other purposes  
4656 pursuant to s. 718.112(2)(f)3., unless approved by a majority of  
4657 the voting interests not controlled by the developer, bulk  
4658 assignee, and bulk buyer.

4659           Section 36. For the purpose of incorporating the amendment  
4660 made by this act to section 718.301, Florida Statutes, in a  
4661 reference thereto, subsection (2) of section 718.705, Florida  
4662 Statutes, is reenacted to read:

4663           718.705 Board of administration; transfer of control.—

4664           (2) Unless control of the board of administration of the  
4665 association has already been relinquished pursuant to s.  
4666 718.301(1), the bulk assignee must relinquish control of the  
4667 association pursuant to s. 718.301 and this part, as if the bulk  
4668 assignee were the developer.

4669           Section 37. For the purpose of incorporating the amendment  
4670 made by this act to section 719.106, Florida Statutes, in a  
4671 reference thereto, subsection (24) of section 719.103, Florida  
4672 Statutes, is reenacted to read:

4673           719.103 Definitions.—As used in this chapter:

4674           (24) "Structural integrity reserve study" means a study of  
4675 the reserve funds required for future major repairs and

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4676 replacement of the cooperative property performed as required  
4677 under s. 719.106(1)(k).

4678       Section 38. For the purpose of incorporating the amendment  
4679 made by this act to section 719.106, Florida Statutes, in  
4680 references thereto, paragraph (a) of subsection (7) and  
4681 paragraph (c) of subsection (20) of section 719.504, Florida  
4682 Statutes, are reenacted to read:

4683       719.504 Prospectus or offering circular.—Every developer  
4684 of a residential cooperative which contains more than 20  
4685 residential units, or which is part of a group of residential  
4686 cooperatives which will be served by property to be used in  
4687 common by unit owners of more than 20 residential units, shall  
4688 prepare a prospectus or offering circular and file it with the  
4689 Division of Florida Condominiums, Timeshares, and Mobile Homes  
4690 prior to entering into an enforceable contract of purchase and  
4691 sale of any unit or lease of a unit for more than 5 years and  
4692 shall furnish a copy of the prospectus or offering circular to  
4693 each buyer. In addition to the prospectus or offering circular,  
4694 each buyer shall be furnished a separate page entitled  
4695 "Frequently Asked Questions and Answers," which must be in  
4696 accordance with a format approved by the division. This page  
4697 must, in readable language: inform prospective purchasers  
4698 regarding their voting rights and unit use restrictions,  
4699 including restrictions on the leasing of a unit; indicate  
4700 whether and in what amount the unit owners or the association is

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obligated to pay rent or land use fees for recreational or other commonly used facilities; contain a statement identifying that amount of assessment which, pursuant to the budget, would be levied upon each unit type, exclusive of any special assessments, and which identifies the basis upon which assessments are levied, whether monthly, quarterly, or otherwise; state and identify any court cases in which the association is currently a party of record in which the association may face liability in excess of \$100,000; and state whether membership in a recreational facilities association is mandatory and, if so, identify the fees currently charged per unit type. The division shall by rule require such other disclosure as in its judgment will assist prospective purchasers. The prospectus or offering circular may include more than one cooperative, although not all such units are being offered for sale as of the date of the prospectus or offering circular. The prospectus or offering circular must contain the following information:

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

(a) Each building and facility committed to be built and a

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summary description of the structural integrity of each building for which reserves are required pursuant to s. 719.106(1)(k).

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

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

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

1. Expenses for the association and cooperative:
  - a. Administration of the association.
  - b. Management fees.
  - c. Maintenance.
  - d. Rent for recreational and other commonly used areas.
  - e. Taxes upon association property.
  - f. Taxes upon leased areas.
  - g. Insurance.
  - h. Security provisions.

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4751           i. Other expenses.  
 4752           j. Operating capital.  
 4753           k. Reserves for all applicable items referenced in s.  
 4754 719.106(1)(k).  
 4755           1. Fee payable to the division.  
 4756           2. Expenses for a unit owner:  
 4757           a. Rent for the unit, if subject to a lease.  
 4758           b. Rent payable by the unit owner directly to the lessor  
 4759 or agent under any recreational lease or lease for the use of  
 4760 commonly used areas, which use and payment are a mandatory  
 4761 condition of ownership and are not included in the common  
 4762 expense or assessments for common maintenance paid by the unit  
 4763 owners to the association.  
 4764           Section 39. Except as otherwise provided in this act, this  
 4765 act shall take effect July 1, 2025.