

1 A bill to be entitled
2 An act relating to condominium associations; amending
3 s. 718.111, F.S.; providing that a condominium
4 association's turnover certificate and annual report
5 must be maintained as part of the association's
6 official records; amending s. 718.124, F.S.; providing
7 applicability and construction; amending s. 718.301,
8 F.S.; requiring the board of administration of a
9 condominium association to file with the Division of
10 Condominiums, Timeshares, and Mobile Homes a turnover
11 certificate within a specified timeframe; requiring a
12 turnover certificate to include certain information;
13 requiring the division to maintain a publicly
14 accessible online database of turnover certificates,
15 which must include specified information; amending s.
16 718.501, F.S.; requiring the division to create and
17 maintain a searchable electronic database of turnover
18 certificates; requiring the division to adopt rules;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 **Section 1. Paragraph (a) of subsection (12) of section**
24 **718.111, Florida Statutes, is amended to read:**

25 718.111 The association.—

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

3. A copy of the recorded bylaws of the association and each amendment to the bylaws.

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

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

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

7. A current roster of all unit owners and their mailing

51 addresses, unit identifications, voting certifications, and, if
52 known, telephone numbers. The association shall also maintain
53 the e-mail addresses and facsimile numbers of unit owners
54 consenting to receive notice by electronic transmission. In
55 accordance with sub-subparagraph (c)5.e., the e-mail addresses
56 and facsimile numbers are only accessible to unit owners if
57 consent to receive notice by electronic transmission is
58 provided, or if the unit owner has expressly indicated that such
59 personal information can be shared with other unit owners and
60 the unit owner has not provided the association with a request
61 to opt out of such dissemination with other unit owners. An
62 association must ensure that the e-mail addresses and facsimile
63 numbers are only used for the business operation of the
64 association and may not be sold or shared with outside third
65 parties. If such personal information is included in documents
66 that are released to third parties, other than unit owners, the
67 association must redact such personal information before the
68 document is disseminated. However, the association is not liable
69 for an inadvertent disclosure of the e-mail address or facsimile
70 number for receiving electronic transmission of notices unless
71 such disclosure was made with a knowing or intentional disregard
72 of the protected nature of such information.

73 8. All current insurance policies of the association and
74 condominiums operated by the association.

75 9. A current copy of any management agreement, lease, or

76 other contract to which the association is a party or under
77 which the association or the unit owners have an obligation or
78 responsibility.

79 10. Bills of sale or transfer for all property owned by
80 the association.

81 11. Accounting records for the association and separate
82 accounting records for each condominium that the association
83 operates. Any person who knowingly or intentionally defaces or
84 destroys such records, or who knowingly or intentionally fails
85 to create or maintain such records, with the intent of causing
86 harm to the association or one or more of its members, is
87 personally subject to a civil penalty pursuant to s.
88 718.501(1)(e). The accounting records must include, but are not
89 limited to:

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

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

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

100 d. All audits, reviews, accounting statements, structural

101 integrity reserve studies, and financial reports of the
102 association or condominium. Structural integrity reserve studies
103 must be maintained for at least 15 years after the study is
104 completed.

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

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

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

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

118 15. A copy of the inspection reports described in ss.
119 553.899 and 718.301(4)(p) and any other inspection report
120 relating to a structural or life safety inspection of
121 condominium property. Such record must be maintained by the
122 association for 15 years after receipt of the report.

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

124 17. All affirmative acknowledgments made pursuant to s.
125 718.121(4)(c).

126 18. A copy of all building permits.

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

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

130 21. A copy of the association's turnover certificate.

131 22. A copy of the association's annual report required
132 under s. 617.1622.

133 23.21. All other written records of the association not
134 specifically included in the foregoing which are related to the
135 operation of the association.

136 **Section 2. Section 718.124, Florida Statutes, is amended**
137 **to read:**

138 718.124 Limitation on actions by association.—

139 (1) The statute of limitations and statute of repose for
140 any actions in law or equity which a condominium association ~~or~~
141 ~~a cooperative association~~ may have do ~~shall~~ not begin to run
142 until the unit owners have elected a majority of the members of
143 the board of administration.

144 (2) The tolling of any applicable statute of limitations
145 and statute of repose under subsection (1) does not apply to
146 actions that are subject to s. 95.11(3)(b). Actions that are
147 subject to s. 95.11(3)(b) must be commenced within the time
148 periods prescribed in s. 95.11(3)(b) and subsection (1) may not
149 be construed to extend, suspend, or otherwise toll such
150 limitation periods.

Section 3. Subsection (2) of section 718.301, Florida Statutes, is amended to read:

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

(2)(a) Within 75 days after the unit owners other than the developer are entitled to elect a member or members of the board of administration of an association, the association shall call, and give not less than 60 days' notice of an election for the members of the board of administration. The election shall proceed as provided in s. 718.112(2)(d). The notice may be given by any unit owner if the association fails to do so. Upon election of the first unit owner other than the developer to the board of administration, the developer shall forward to the division the name and mailing address of the unit owner board member.

(b) Within 30 days after the election in which the unit owners other than the developer elect a majority of the members of the board of administration of an association, the board shall file with the division a turnover certificate. The turnover certificate must include the date of the election and the names and mailing addresses of each elected unit owner board member. The division shall maintain a publicly accessible online database of turnover certificates which must include the name and mailing address of the condominium, the date on which turnover occurred, and a digital copy of the turnover

176 certificate.

177 **Section 4. Subsection (4) is added to section 718.501,**
178 **Florida Statutes, to read:**

179 718.501 Authority, responsibility, and duties of Division
180 of Florida Condominiums, Timeshares, and Mobile Homes.—

181 (4) The division shall create and maintain a searchable
182 electronic database of each turnover certificate filed pursuant
183 to s. 718.301(2)(b). The database must include the name and
184 mailing address of each condominium association, the date on
185 which turnover occurred, and a digital copy of the turnover
186 certificate. The division shall adopt rules prescribing the form
187 and content of the turnover certificate and the procedures for
188 electronically filing a turnover certificate.

189 **Section 5. This act shall take effect July 1, 2026.**