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LEGISLATIVE ACTION

Senate

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House

Senator Bradley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) is added to section 468.4334,
Florida Statutes, to read:

468.4334 Professional practice standards; liability;
community association manager requirements.—

(3) A community association manager or community
association management firm that is authorized by contract to
provide community association management services to a



254472

12 homeowners' association shall do all of the following:

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

15 (b) Provide to the members of the homeowners' association
16 the name and contact information for each community association
17 manager or representative of a community association management
18 firm assigned to the homeowners' association, the manager's or
19 representative's hours of availability, and a summary of the
20 duties for which the manager or representative is responsible.

21 The homeowners' association shall also post this information on
22 the association's website or application required under s.
23 720.303(4)(b). The community association manager or community
24 association management firm shall update the homeowners'
25 association and its members within 14 business days after any
26 change to such information.

27 (c) Provide to any member upon request a copy of the
28 contract between the community association manager or community
29 association management firm and the homeowners' association and
30 include such contract with association's official records.

31 Section 2. Section 468.4337, Florida Statutes, is amended
32 to read:

33 468.4337 Continuing education.—The department may not renew
34 a license until the licensee submits proof that the licensee has
35 completed the requisite hours of continuing education. ~~No more~~
36 ~~than 10 hours of continuing education annually shall be required~~
37 ~~for renewal of a license.~~ The number of continuing education
38 hours, criteria, and course content shall be approved by the
39 council by rule. The council may not require more than 10 hours
40 of continuing education annually for renewal of a license. A



254472

41 community association manager who provides community association
42 management services to a homeowners' association must biennially
43 complete at least 5 hours of continuing education that pertains
44 specifically to homeowners' associations, 3 hours of which must
45 relate to recordkeeping.

46 Section 3. Subsections (1), (4), and (5), paragraph (f) of
47 subsection (6), and paragraphs (a) and (d) of subsection (7) of
48 section 720.303, Florida Statutes, are amended, and subsections
49 (13) and (14) are added to that section, to read:

50 720.303 Association powers and duties; meetings of board;
51 official records; budgets; financial reporting; association
52 funds; recalls.—

53 (1) POWERS AND DUTIES.—An association that ~~which~~ operates a
54 community as defined in s. 720.301, must be operated by an
55 association that is a Florida corporation. After October 1,
56 1995, the association must be incorporated and the initial
57 governing documents must be recorded in the official records of
58 the county in which the community is located. An association may
59 operate more than one community. The officers and directors of
60 an association are subject to s. 617.0830 and have a fiduciary
61 relationship to the members who are served by the association.
62 The powers and duties of an association include those set forth
63 in this chapter and, except as expressly limited or restricted
64 in this chapter, those set forth in the governing documents.
65 After control of the association is obtained by members other
66 than the developer, the association may institute, maintain,
67 settle, or appeal actions or hearings in its name on behalf of
68 all members concerning matters of common interest to the
69 members, including, but not limited to, the common areas; roof



254472

70 or structural components of a building, or other improvements
71 for which the association is responsible; mechanical,
72 electrical, or plumbing elements serving an improvement or
73 building for which the association is responsible;
74 representations of the developer pertaining to any existing or
75 proposed commonly used facility; and protesting ad valorem taxes
76 on commonly used facilities. The association may defend actions
77 in eminent domain or bring inverse condemnation actions. Before
78 commencing litigation against any party in the name of the
79 association involving amounts in controversy in excess of
80 \$100,000, the association must obtain the affirmative approval
81 of a majority of the voting interests at a meeting of the
82 membership at which a quorum has been attained. This subsection
83 does not limit any statutory or common-law right of any
84 individual member or class of members to bring any action
85 without participation by the association. A member does not have
86 authority to act for the association by virtue of being a
87 member. An association may have more than one class of members
88 and may issue membership certificates. An association of 15 or
89 fewer parcel owners may enforce only the requirements of those
90 deed restrictions established prior to the purchase of each
91 parcel upon an affected parcel owner or owners.

92 (4) OFFICIAL RECORDS.—

93 (a) The association shall maintain each of the following
94 items, when applicable, for at least 7 years, unless the
95 governing documents of the association require a longer period
96 of time, which constitute the official records of the
97 association:

98 1.(a) Copies of any plans, specifications, permits, and



99 warranties related to improvements constructed on the common
100 areas or other property that the association is obligated to
101 maintain, repair, or replace.

102 2.~~(b)~~ A copy of the bylaws of the association and of each
103 amendment to the bylaws.

104 3.~~(e)~~ A copy of the articles of incorporation of the
105 association and of each amendment thereto.

106 4.~~(d)~~ A copy of the declaration of covenants and a copy of
107 each amendment thereto.

108 5.~~(e)~~ A copy of the current rules of the homeowners'
109 association.

110 6.~~(f)~~ The minutes of all meetings of the board of directors
111 and of the members, ~~which minutes must be retained for at least~~
112 ~~7 years.~~

113 7.~~(g)~~ A current roster of all members and their designated
114 mailing addresses and parcel identifications. A member's
115 designated mailing address is the member's property address,
116 unless the member has sent written notice to the association
117 requesting that a different mailing address be used for all
118 required notices. The association shall also maintain the e-mail
119 addresses and the facsimile numbers designated by members for
120 receiving notice sent by electronic transmission of those
121 members consenting to receive notice by electronic transmission.
122 A member's e-mail address is the e-mail address the member
123 provided when consenting in writing to receiving notice by
124 electronic transmission, unless the member has sent written
125 notice to the association requesting that a different e-mail
126 address be used for all required notices. The e-mail addresses
127 and facsimile numbers provided by members to receive notice by



254472

128 electronic transmission must be removed from association records
129 when the member revokes consent to receive notice by electronic
130 transmission. However, the association is not liable for an
131 erroneous disclosure of the e-mail address or the facsimile
132 number for receiving electronic transmission of notices.

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

135 ~~9.(i)~~ A current copy of all contracts to which the
136 association is a party, including, without limitation, any
137 management agreement, lease, or other contract under which the
138 association has any obligation or responsibility. Bids received
139 by the association for work to be performed are ~~must also be~~
140 considered official records and must be kept for a period of 1
141 year.

142 ~~10.(j)~~ The financial and accounting records of the
143 association, kept according to good accounting practices. ~~All~~
144 ~~financial and accounting records must be maintained for a period~~
145 ~~of at least 7 years.~~ The financial and accounting records must
146 include:

147 ~~a.1.~~ Accurate, itemized, and detailed records of all
148 receipts and expenditures.

149 ~~b.2.~~ A current account and a periodic statement of the
150 account for each member, designating the name and current
151 address of each member who is obligated to pay assessments, the
152 due date and amount of each assessment or other charge against
153 the member, the date and amount of each payment on the account,
154 and the balance due.

155 ~~c.3.~~ All tax returns, financial statements, and financial
156 reports of the association.



254472

157 ~~d.4.~~ Any other records that identify, measure, record, or
158 communicate financial information.

159 ~~11.(*)~~ A copy of the disclosure summary described in s.
160 720.401(1).

161 ~~12.(1)~~ Ballots, sign-in sheets, voting proxies, and all
162 other papers and electronic records relating to voting by parcel
163 owners, which must be maintained for at least 1 year after the
164 date of the election, vote, or meeting.

165 ~~13.(m)~~ All affirmative acknowledgments made pursuant to s.
166 720.3085(3)(c)3.

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

170 (b)1. By January 1, 2025, an association that has 100 or
171 more parcels shall post the following documents on its website
172 or make available such documents through an application that can
173 be downloaded on a mobile device:

174 a. The articles of incorporation of the association and
175 each amendment thereto.

176 b. The recorded bylaws of the association and each
177 amendment thereto.

178 c. The declaration of covenants and a copy of each
179 amendment thereto.

180 d. The current rules of the association.

181 e. A list of all current executory contracts or documents
182 to which the association is a party or under which the
183 association or the parcel owners have an obligation or
184 responsibility and, after bidding for the related materials,
185 equipment, or services has closed, a list of bids received by



254472

186 the association within the past year.

187 f. The annual budget required by subsection (6) and any
188 proposed budget to be considered at the annual meeting.

189 g. The financial report required by subsection (7) and any
190 monthly income or expense statement to be considered at a
191 meeting.

192 h. The association's current insurance policies.

193 i. The certification of each director as required by s.
194 720.3033(1) (a).

195 j. All contracts or transactions between the association
196 and any director, officer, corporation, firm, or association
197 that is not an affiliated homeowners' association or any other
198 entity in which a director of an association is also a director
199 or an officer and has a financial interest.

200 k. Any contract or document regarding a conflict of
201 interest or possible conflict of interest as provided in ss.
202 468.436(2) (b) 6. and 720.3033(2).

203 l. Notice of any scheduled meeting of members and the
204 agenda for the meeting, as required by s. 720.306, at least 14
205 days before such meeting. The notice must be posted in plain
206 view on the homepage of the website or application, or on a
207 separate subpage of the website or application labeled "Notices"
208 which is conspicuously visible and linked from the homepage. The
209 association shall also post on its website or application any
210 document to be considered and voted on by the members during the
211 meeting or any document listed on the meeting agenda at least 7
212 days before the meeting at which such document or information
213 within the document will be considered.

214 m. Notice of any board meeting, the agenda, and any other



254472

215 document required for such meeting as required by subsection
216 (3), which must be posted on the website or application no later
217 than the date required for notice under subsection (3).

218 2. The association's website or application must be
219 accessible through the Internet and must contain a subpage, web
220 portal, or other protected electronic location that is
221 inaccessible to the general public and accessible only to parcel
222 owners and employees of the association.

223 3. Upon written request by a parcel owner, the association
224 must provide the parcel owner with a username and password and
225 access to the protected sections of the association's website or
226 application which contains the official documents of the
227 association.

228 4. The association shall ensure that the information and
229 records described in paragraph (5) (g), which are not allowed to
230 be accessible to parcel owners, are not posted on the
231 association's website or application. If protected information
232 or information restricted from being accessible to parcel owners
233 is included in documents that are required to be posted on the
234 association's website or application, the association must
235 ensure the information is redacted before posting the documents.
236 Notwithstanding the foregoing, the association or its authorized
237 agent is not liable for disclosing information that is protected
238 or restricted under paragraph (5) (g) unless such disclosure was
239 made with a knowing or intentional disregard of the protected or
240 restricted nature of such information.

241 (c) The association shall adopt written rules governing the
242 method or policy by which the official records of the
243 association are to be retained and the time period such records



254472

244 must be retained pursuant to paragraph (a). Such information
245 must be made available to the parcel owners through the
246 association's website or application.

247 (5) INSPECTION AND COPYING OF RECORDS.-

248 (a) Unless otherwise provided by law or the governing
249 documents of the association, the official records must ~~shall~~ be
250 maintained within this ~~the~~ state for at least 7 years and ~~shall~~
251 be made available to a parcel owner for inspection or
252 photocopying within 45 miles of the community or within the
253 county in which the association is located within 10 business
254 days after receipt by the board or its designee of a written
255 request from the parcel owner. This subsection may be complied
256 with by having a copy of the official records available for
257 inspection or copying in the community or, ~~at the option of the~~
258 ~~association,~~ by making the records available to a parcel owner
259 electronically via the Internet or by allowing the records to be
260 viewed in electronic format on a computer screen and printed
261 upon request. If the association has a photocopy machine
262 available where the records are maintained, it must provide
263 parcel owners with copies on request during the inspection if
264 the entire request is limited to no more than 25 pages. An
265 association shall allow a member or his or her authorized
266 representative to use a portable device, including a smartphone,
267 tablet, portable scanner, or any other technology capable of
268 scanning or taking photographs, to make an electronic copy of
269 the official records in lieu of the association's providing the
270 member or his or her authorized representative with a copy of
271 such records. The association may not charge a fee to a member
272 or his or her authorized representative for the use of a



254472

273 portable device.

274 (b)~~(a)~~ The failure of an association to provide access to
275 the records within 10 business days after receipt of a written
276 request submitted by certified mail, return receipt requested,
277 creates a rebuttable presumption that the association willfully
278 failed to comply with this subsection.

279 (c)~~(b)~~ A member ~~who is~~ denied access to official records is
280 entitled to the actual damages or minimum damages for the
281 association's willful failure to comply with this subsection.
282 The minimum damages are to be \$50 per calendar day up to 10
283 days, the calculation to begin on the 11th business day after
284 receipt of the written request.

285 (d) Any director or member of the board or association or a
286 community association manager who knowingly, willfully, and
287 repeatedly violates paragraph (a), with the intent of causing
288 harm to the association or one or more of its members, commits a
289 misdemeanor of the second degree, punishable as provided in s.
290 775.082 or s. 775.083. For purposes of this paragraph, the term
291 "repeatedly" means two or more violations within a 12-month
292 period.

293 (e) Any person who knowingly and intentionally defaces or
294 destroys accounting records during the period in which such
295 records are required to be maintained, or who knowingly or
296 intentionally fails to create or maintain accounting records
297 that are required to be created or maintained, with the intent
298 of causing harm to the association or one or more of its
299 members, commits a misdemeanor of the first degree, punishable
300 as provided in s. 775.082 or s. 775.083.

301 (f) Any person who willfully and knowingly refuses to



254472

302 release or otherwise produce association records with the intent
303 to avoid or escape detection, arrest, trial, or punishment for
304 the commission of a crime, or to assist another person with such
305 avoidance or escape, commits a felony of the third degree,
306 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

307 (g) ~~(e)~~ The association may adopt reasonable written rules
308 governing the frequency, time, location, notice, records to be
309 inspected, and manner of inspections, but may not require a
310 parcel owner to demonstrate any proper purpose for the
311 inspection, state any reason for the inspection, or limit a
312 parcel owner's right to inspect records to less than one 8-hour
313 business day per month. The association may impose fees to cover
314 the costs of providing copies of the official records, including
315 the costs of copying and the costs required for personnel to
316 retrieve and copy the records if the time spent retrieving and
317 copying the records exceeds one-half hour and if the personnel
318 costs do not exceed \$20 per hour. Personnel costs may not be
319 charged for records requests that result in the copying of 25 or
320 fewer pages. The association may charge up to 25 cents per page
321 for copies made on the association's photocopier. If the
322 association does not have a photocopy machine available where
323 the records are kept, or if the records requested to be copied
324 exceed 25 pages in length, the association may have copies made
325 by an outside duplicating service and may charge the actual cost
326 of copying, as supported by the vendor invoice. The association
327 shall maintain an adequate number of copies of the recorded
328 governing documents, to ensure their availability to members and
329 prospective members. Notwithstanding this subsection ~~paragraph~~,
330 the following records are not accessible to members or parcel



254472

331 owners:

332 1. Any record protected by the lawyer-client privilege as
333 described in s. 90.502 and any record protected by the work-
334 product privilege, including, but not limited to, a record
335 prepared by an association attorney or prepared at the
336 attorney's express direction which reflects a mental impression,
337 conclusion, litigation strategy, or legal theory of the attorney
338 or the association and which was prepared exclusively for civil
339 or criminal litigation or for adversarial administrative
340 proceedings or which was prepared in anticipation of such
341 litigation or proceedings until the conclusion of the litigation
342 or proceedings.

343 2. Information obtained by an association in connection
344 with the approval of the lease, sale, or other transfer of a
345 parcel.

346 3. Information an association obtains in a gated community
347 in connection with guests' visits to parcel owners or community
348 residents.

349 4. Personnel records of association or management company
350 employees, including, but not limited to, disciplinary, payroll,
351 health, and insurance records. For purposes of this
352 subparagraph, the term "personnel records" does not include
353 written employment agreements with an association or management
354 company employee or budgetary or financial records that indicate
355 the compensation paid to an association or management company
356 employee.

357 5. Medical records of parcel owners or community residents.

358 6. Social security numbers, driver license numbers, credit
359 card numbers, electronic mailing addresses, telephone numbers,



254472

360 facsimile numbers, emergency contact information, any addresses
361 for a parcel owner other than as provided for association notice
362 requirements, and other personal identifying information of any
363 person, excluding the person's name, parcel designation, mailing
364 address, and property address. Notwithstanding the restrictions
365 in this subparagraph, an association may print and distribute to
366 parcel owners a directory containing the name, parcel address,
367 and all telephone numbers of each parcel owner. However, an
368 owner may exclude his or her telephone numbers from the
369 directory by so requesting in writing to the association. An
370 owner may consent in writing to the disclosure of other contact
371 information described in this subparagraph. The association is
372 not liable for the disclosure of information that is protected
373 under this subparagraph if the information is included in an
374 official record of the association and is voluntarily provided
375 by an owner and not requested by the association.

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

378 8. The software and operating system used by the
379 association which allows the manipulation of data, even if the
380 owner owns a copy of the same software used by the association.
381 The data is part of the official records of the association.

382 9. All affirmative acknowledgments made pursuant to s.
383 720.3085(3)(c)3.

384 (h) ~~(d)~~ The association or its authorized agent is not
385 required to provide a prospective purchaser or lienholder with
386 information about the residential subdivision or the association
387 other than information or documents required by this chapter to
388 be made available or disclosed. The association or its



254472

389 authorized agent may charge a reasonable fee to the prospective
390 purchaser or lienholder or the current parcel owner or member
391 for providing good faith responses to requests for information
392 by or on behalf of a prospective purchaser or lienholder, other
393 than that required by law, if the fee does not exceed \$150 plus
394 the reasonable cost of photocopying and any attorney fees
395 incurred by the association in connection with the response.

396 (i) If an association receives a subpoena for records from
397 a law enforcement agency, the association must provide a copy of
398 such records or otherwise make the records available for
399 inspection and copying to a law enforcement agency within 5
400 business days after receipt of the subpoena, unless otherwise
401 specified by the law enforcement agency or subpoena. An
402 association must assist a law enforcement agency in its
403 investigation to the extent permissible by law.

404 (6) BUDGETS.—

405 (f) After one or more reserve accounts are established, the
406 membership of the association, upon a majority vote at a meeting
407 at which a quorum is present, may provide for no reserves or
408 less reserves than required by this section. If a meeting of the
409 parcel unit owners has been called to determine whether to waive
410 or reduce the funding of reserves and such result is not
411 achieved or a quorum is not present, the reserves as included in
412 the budget go into effect. After the turnover, the developer may
413 vote its voting interest to waive or reduce the funding of
414 reserves. Any vote taken pursuant to this subsection to waive or
415 reduce reserves is applicable only to one budget year.

416 (7) FINANCIAL REPORTING.—Within 90 days after the end of
417 the fiscal year, or annually on the date provided in the bylaws,



254472

418 the association shall prepare and complete, or contract with a
419 third party for the preparation and completion of, a financial
420 report for the preceding fiscal year. Within 21 days after the
421 final financial report is completed by the association or
422 received from the third party, but not later than 120 days after
423 the end of the fiscal year or other date as provided in the
424 bylaws, the association shall, within the time limits set forth
425 in subsection (5), provide each member with a copy of the annual
426 financial report or a written notice that a copy of the
427 financial report is available upon request at no charge to the
428 member. Financial reports shall be prepared as follows:

429 (a) An association that meets the criteria of this
430 paragraph shall prepare or cause to be prepared a complete set
431 of financial statements in accordance with generally accepted
432 accounting principles as adopted by the Board of Accountancy.
433 The financial statements shall be based upon the association's
434 total annual revenues, as follows:

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

438 2. An association with total annual revenues of at least
439 \$300,000, but less than \$500,000, shall prepare reviewed
440 financial statements.

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

443 4. An association with at least 1,000 parcels shall prepare
444 audited financial statements, notwithstanding the association's
445 total annual revenues.

446 (d) If approved by a majority of the voting interests



254472

447 present at a properly called meeting of the association, an
448 association may prepare or cause to be prepared:

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

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

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

457
458 An association may not prepare a financial statement pursuant to
459 this paragraph for consecutive fiscal years.

460 (13) DEBIT CARDS.—

461 (a) An association and its officers, directors, employees,
462 and agents may not use a debit card issued in the name of the
463 association, or billed directly to the association, for the
464 payment of any association expenses.

465 (b) A person who uses a debit card issued in the name of
466 the association, or billed directly to the association, for any
467 expense that is not a lawful obligation of the association
468 commits theft as provided under s. 812.014.

469
470 For the purposes of this subsection, the term "lawful obligation
471 of the association" means an obligation that has been properly
472 preapproved by the board and is reflected in the meeting minutes
473 or the written budget.

474 (14) REQUIREMENT TO PROVIDE AN ACCOUNTING.—A parcel owner
475 may make a written request to the board for a detailed



254472

476 accounting of any amounts he or she owes to the association
477 related to the parcel, and the board shall provide such
478 information within 15 business days after receipt of the written
479 request. After a parcel owner makes such written request to the
480 board, he or she may not request another detailed accounting for
481 at least 90 calendar days. Failure by the board to respond
482 within 15 business days to a written request for a detailed
483 accounting constitutes a complete waiver of any outstanding
484 finances of the person who requested such accounting which are more
485 than 30 days past due and for which the association has not
486 given prior written notice of the imposition of the fines.

487 Section 4. Subsections (1) and (3) and paragraph (a) of
488 subsection (4) of section 720.3033, Florida Statutes, are
489 amended to read:

490 720.3033 Officers and directors.—

491 (1) (a) Within 90 days after being elected or appointed to
492 the board, each ~~director shall certify in writing to the~~
493 ~~secretary of the association that he or she has read the~~
494 ~~association's declaration of covenants, articles of~~
495 ~~incorporation, bylaws, and current written rules and policies;~~
496 ~~that he or she will work to uphold such documents and policies~~
497 ~~to the best of his or her ability; and that he or she will~~
498 ~~faithfully discharge his or her fiduciary responsibility to the~~
499 ~~association's members. Within 90 days after being elected or~~
500 ~~appointed to the board, in lieu of such written certification,~~
501 ~~the newly elected or appointed director must ~~may~~ submit a~~
502 certificate of having satisfactorily completed the educational
503 curriculum administered by a department-approved ~~division-~~
504 ~~approved~~ education provider.



254472

505 1. The newly elected or appointed director must complete
506 the department-approved education for newly elected or appointed
507 directors within 90 days after being elected or appointed.

508 2. The certificate of completion is valid for a up to 4
509 years.

510 3. A director must complete the education specific to newly
511 elected or appointed directors at least every 4 years.

512 4. The department-approved educational curriculum specific
513 to newly elected or appointed directors must include training
514 relating to financial literacy and transparency, recordkeeping,
515 levying of fines, and notice and meeting requirements.

516 5. In addition to the educational curriculum specific to
517 newly elected or appointed directors:

518 a. A director of an association that has fewer than 2,500
519 parcels must complete at least 4 hours of continuing education
520 annually.

521 b. A director of an association that has 2,500 parcels or
522 more must complete at least 8 hours of continuing education
523 annually ~~within 1 year before or 90 days after the date of~~
524 ~~election or appointment.~~

525 ~~(b) The written certification or educational certificate is~~
526 ~~valid for the uninterrupted tenure of the director on the board.~~
527 A director who does not timely file the ~~written certification or~~
528 educational certificate ~~is shall be~~ suspended from the board
529 until he or she complies with the requirement. The board may
530 temporarily fill the vacancy during the period of suspension.

531 (c) The association shall retain each director's ~~written~~
532 ~~certification or~~ educational certificate for inspection by the
533 members for 5 years after the director's election. However, the



254472

534 failure to have the written certification or educational
535 certificate on file does not affect the validity of any board
536 action.

537 (d) The department shall adopt rules to implement and
538 administer the educational curriculum and continuing education
539 requirements under this subsection.

540 (3) An officer, a director, or a manager may not solicit,
541 offer to accept, or accept a kickback. As used in this
542 subsection, the term "kickback" means any thing or service of
543 value for which consideration has not been provided for an
544 officer's, a director's, or a manager's ~~his or her~~ benefit or
545 for the benefit of a member of his or her immediate family from
546 any person providing or proposing to provide goods or services
547 to the association. An officer, a director, or a manager who
548 knowingly solicits, offers to accept, or accepts a any thing or
549 ~~service of value or~~ kickback commits a felony of the third
550 degree, punishable as provided in s. 775.082, 775.083, or s.
551 775.084, and ~~for which consideration has not been provided for~~
552 ~~his or her own benefit or that of his or her immediate family~~
553 ~~from any person providing or proposing to provide goods or~~
554 ~~services to the association~~ is subject to monetary damages under
555 s. 617.0834. If the board finds that an officer or a director
556 has violated this subsection, the board must ~~shall~~ immediately
557 remove the officer or director from office. The vacancy shall be
558 filled according to law until the end of the officer's or
559 director's term of office. However, an officer, a director, or a
560 manager may accept food to be consumed at a business meeting
561 with a value of less than \$25 per individual or a service or
562 good received in connection with trade fairs or education



254472

563 programs.

564 (4) (a) A director or an officer charged by information or
565 indictment with any of the following crimes must be removed from
566 office and a vacancy declared:

567 1. Forgery of a ballot envelope or voting certificate used
568 in a homeowners' association election as provided in s. 831.01.

569 2. Theft or embezzlement involving the association's funds
570 or property as provided in s. 812.014.

571 3. Destruction of or the refusal to allow inspection or
572 copying of an official record of a homeowners' association which
573 is accessible to parcel owners within the time periods required
574 by general law, in furtherance of any crime. Such act
575 constitutes tampering with physical evidence as provided in s.
576 918.13.

577 4. Obstruction of justice as provided in chapter 843.

578 5. Any criminal violation under this chapter.

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

581 720.3035 Architectural control covenants; parcel owner
582 improvements; rights and privileges.—

583 (1) (a) The authority of an association or any
584 architectural, construction improvement, or other such similar
585 committee of an association to review and approve plans and
586 specifications for the location, size, type, or appearance of
587 any structure or other improvement on a parcel, or to enforce
588 standards for the external appearance of any structure or
589 improvement located on a parcel, shall be permitted only to the
590 extent that the authority is specifically stated or reasonably
591 inferred as to such location, size, type, or appearance in the



254472

592 declaration of covenants or other published guidelines and
593 standards authorized by the declaration of covenants. An
594 association or any architectural, construction improvement, or
595 similar committee of an association must reasonably and
596 equitably apply and enforce on all parcel owners the
597 architectural and construction improvement standards authorized
598 by the declaration of covenants or other published guidelines
599 and standards authorized by the declaration of covenants.

600 (b) An association or any architectural, construction
601 improvement, or other such similar committee of an association
602 may not enforce or adopt a covenant, rule, or guideline that:

603 1. Limits or places requirements on the interior of a
604 structure that is not visible from the parcel's frontage or an
605 adjacent parcel, an adjacent common area, or a community golf
606 course.

607 2. Requires the review and approval of plans and
608 specifications for a central air-conditioning, refrigeration,
609 heating, or ventilating system by the association or any
610 architectural, construction improvement, or other such similar
611 committee of an association, if such system is not visible from
612 the parcel's frontage, an adjacent parcel, an adjacent common
613 area, or a community golf course and is substantially similar to
614 a system that is approved or recommended by the association or a
615 committee thereof.

616 (4) (a) Each parcel owner is ~~shall be~~ entitled to the rights
617 and privileges set forth in the declaration of covenants or
618 other published guidelines and standards authorized by the
619 declaration of covenants concerning the architectural use of the
620 parcel, and the construction of permitted structures and



254472

621 improvements on the parcel. ~~and~~ Such rights and privileges may
622 ~~shall~~ not be unreasonably infringed upon or impaired by the
623 association or any architectural, construction improvement, or
624 other such similar committee of the association. If the
625 association or any architectural, construction improvement, or
626 other such similar committee of the association denies a parcel
627 owner's request or application for the construction of a
628 structure or other improvement on a parcel, the association or
629 committee must provide written notice to the parcel owner
630 stating with specificity the rule or covenant on which the
631 association or committee relied when denying the request or
632 application and the specific aspect or part of the proposed
633 improvement that does not conform to such rule or covenant.

634 (b) If the association or any architectural, construction
635 improvement, or other such similar committee of the association
636 should unreasonably, knowingly, and willfully infringe upon or
637 impair the rights and privileges set forth in the declaration of
638 covenants or other published guidelines and standards authorized
639 by the declaration of covenants, the adversely affected parcel
640 owner is ~~shall be~~ entitled to recover damages caused by such
641 infringement or impairment, including any costs and reasonable
642 attorney ~~attorney's~~ fees incurred in preserving or restoring the
643 rights and privileges of the parcel owner set forth in the
644 declaration of covenants or other published guidelines and
645 standards authorized by the declaration of covenants.

646 Section 6. Section 720.3045, Florida Statutes, is amended
647 to read:

648 720.3045 Installation, display, and storage of items.-
649 Regardless of any covenants, restrictions, bylaws, rules, or



254472

650 requirements of an association, and unless prohibited by general
651 law or local ordinance, an association may not restrict parcel
652 owners or their tenants from installing, displaying, or storing
653 any items on a parcel which are not visible from the parcel's
654 frontage or an adjacent parcel, an adjacent common area, or a
655 community golf course, including, but not limited to, artificial
656 turf, boats, flags, vegetable gardens, clotheslines, and
657 recreational vehicles.

658 Section 7. Present paragraph (e) of subsection (2) of
659 section 720.305, Florida Statutes, is redesignated as paragraph
660 (f) and amended, a new paragraph (e) and paragraph (g) are added
661 to that subsection, subsection (7) is added to that section, and
662 paragraphs (b) and (d) of subsection (2) of that section are
663 amended, to read:

664 720.305 Obligations of members; remedies at law or in
665 equity; levy of fines and suspension of use rights.—

666 (2) An association may levy reasonable fines for violations
667 of the declaration, association bylaws, or reasonable rules of
668 the association. A fine may not exceed \$100 per violation
669 against any member or any member's tenant, guest, or invitee for
670 the failure of the owner of the parcel or its occupant,
671 licensee, or invitee to comply with any provision of the
672 declaration, the association bylaws, or reasonable rules of the
673 association unless otherwise provided in the governing
674 documents. A fine may be levied by the board for each day of a
675 continuing violation, with a single notice and opportunity for
676 hearing, except that the fine may not exceed \$1,000 in the
677 aggregate unless otherwise provided in the governing documents.
678 A fine of less than \$1,000 may not become a lien against a



254472

679 parcel. In any action to recover a fine, the prevailing party is
680 entitled to reasonable attorney fees and costs from the
681 nonprevailing party as determined by the court.

682 (b) A fine or suspension levied by the board of
683 administration may not be imposed unless the board first
684 provides at least 14 days' written notice of the parcel owner's
685 right to a hearing to the parcel owner at his or her designated
686 mailing or e-mail address in the association's official records
687 and, if applicable, to any occupant, licensee, or invitee of the
688 parcel owner, sought to be fined or suspended. Such and a
689 hearing must be held within 90 days after issuance of the notice
690 before a committee of at least three members appointed by the
691 board who are not officers, directors, or employees of the
692 association, or the spouse, parent, child, brother, or sister of
693 an officer, director, or employee. The committee may hold the
694 hearing by telephone or other electronic means. The notice must
695 include a description of the alleged violation; the specific
696 action required to cure such violation, if applicable; and the
697 hearing date, and location, and access information if held by
698 telephone or other electronic means of the hearing. A parcel
699 owner has the right to attend a hearing by telephone or other
700 electronic means.

701 (d) Within 7 days after the hearing, the committee shall
702 provide written notice to the parcel owner at his or her
703 designated mailing or e-mail address in the association's
704 official records and, if applicable, any occupant, licensee, or
705 invitee of the parcel owner, of the committee's findings related
706 to the violation, including any applicable fines or suspensions
707 that the committee approved or rejected, and how the parcel



254472

708 owner or any occupant, licensee, or invitee of the parcel owner
709 may cure the violation, if applicable, or fulfill a suspension,
710 or the date by which a fine must be paid.

711 (e) If a violation has been cured before the hearing or in
712 the manner specified in the written notice required in paragraph
713 (b) or paragraph (d), a fine or suspension may not be imposed.

714 (f) ~~(e)~~ If a violation is not cured and the proposed fine or
715 suspension levied by the board is approved by the committee by a
716 majority vote, the committee must set a date by which the fine
717 must be paid, which date must be at least 30 days after delivery
718 of the written notice required in paragraph (d). Attorney fees
719 and costs may not be awarded against the parcel owner based on
720 actions taken by the board before the date set for the fine to
721 be paid.

722 (g) If a violation and the proposed fine or suspension
723 levied by the board is approved by the committee and the
724 violation is not cured or the fine is not paid per the written
725 notice required in paragraph (d), reasonable attorney fees and
726 costs may be awarded to the association. Attorney fees and costs
727 may not begin to accrue until after the date noticed for payment
728 under paragraph (d) and the time for an appeal has expired.

729 (7) Notwithstanding any provision to the contrary in an
730 association's governing documents, an association may not levy a
731 fine or impose a suspension for any of the following:

732 (a) Leaving garbage receptacles at the curb or end of the
733 driveway within 24 hours before or after the designated garbage
734 collection day or time.

735 (b) Leaving holiday decorations or lights on a structure or
736 other improvement on a parcel longer than indicated in the



254472

737 governing documents, unless such decorations or lights are left
738 up for longer than 1 week after the association provides written
739 notice of the violation to the parcel owner ~~fine payment is due~~
740 ~~5 days after notice of the approved fine required under~~
741 ~~paragraph (d) is provided to the parcel owner and, if~~
742 ~~applicable, to any occupant, licensee, or invitee of the parcel~~
743 ~~owner. The association must provide written notice of such fine~~
744 ~~or suspension by mail or hand delivery to the parcel owner and,~~
745 ~~if applicable, to any occupant, licensee, or invitee of the~~
746 ~~parcel owner.~~

747 Section 8. Section 720.3065, Florida Statutes, is amended
748 to read:

749 720.3065 Fraudulent voting activities relating to
750 association elections; penalties.—

751 (1) A person who engages in ~~Each of~~ the following acts of
752 ~~is a~~ fraudulent voting activity relating to association
753 elections commits ~~and constitutes~~ a misdemeanor of the first
754 degree, punishable as provided in s. 775.082 or s. 775.083:

755 (a) ~~(1)~~ Willfully and falsely swearing to or affirming an
756 oath or affirmation, or willfully procuring another person to
757 falsely swear to or affirm an oath or affirmation, in connection
758 with or arising out of voting activities.

759 (b) ~~(2)~~ Perpetrating or attempting to perpetrate, or aiding
760 in the perpetration of, fraud in connection with a vote cast, to
761 be cast, or attempted to be cast.

762 (c) ~~(3)~~ Preventing a member from voting or preventing a
763 member from voting as he or she intended by fraudulently
764 changing or attempting to change a ballot, ballot envelope,
765 vote, or voting certificate of the member.



254472

766 (d)~~(4)~~ Menacing, threatening, or using bribery or any other
767 corruption to attempt, directly or indirectly, to influence,
768 deceive, or deter a member when the member is voting.

769 (e)~~(5)~~ Giving or promising, directly or indirectly,
770 anything of value to another member with the intent to buy the
771 vote of that member or another member or to corruptly influence
772 that member or another member in casting his or her vote. This
773 paragraph subsection does not apply to any food served which is
774 to be consumed at an election rally or a meeting or to any item
775 of nominal value which is used as an election advertisement,
776 including a campaign message designed to be worn by a member.

777 (f)~~(6)~~ Using or threatening to use, directly or indirectly,
778 force, violence, or intimidation or any tactic of coercion or
779 intimidation to induce or compel a member to vote or refrain
780 from voting in an election or on a particular ballot measure.

781 (2) Each of the following acts constitutes a misdemeanor of
782 the first degree, punishable as provided in s. 775.082 or s.
783 775.083:

784 (a) Knowingly aiding, abetting, or advising a person in the
785 commission of a fraudulent voting activity related to
786 association elections.

787 (b) Agreeing, conspiring, combining, or confederating with
788 at least one other person to commit a fraudulent voting activity
789 related to association elections.

790 (c) Having knowledge of a fraudulent voting activity
791 related to association elections and giving any aid to the
792 offender with intent that the offender avoid or escape
793 detection, arrest, trial, or punishment.

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254472

795 This subsection does not apply to a licensed attorney giving
796 legal advice to a client.

797 Section 9. Subsection (3) of section 720.3075, Florida
798 Statutes, is amended, and paragraph (c) is added to subsection
799 (4) of that section, to read:

800 720.3075 Prohibited clauses in association documents.—

801 (3) Homeowners' association documents, including
802 declarations of covenants, articles of incorporation, or bylaws,
803 may not preclude:

804 (a) The display of up to two portable, removable flags as
805 described in s. 720.304(2) (a) by property owners. However, all
806 flags must be displayed in a respectful manner consistent with
807 the requirements for the United States flag under 36 U.S.C.
808 chapter 10.

809 (b) A property owner or a tenant, a guest, or an invitee of
810 the property owner from parking his or her personal vehicle,
811 including a pickup truck, in the property owner's driveway, or
812 in any other area at which the property owner or the property
813 owner's tenant, guest, or invitee has a right to park as
814 governed by state, county, and municipal regulations. The
815 homeowners' association documents, including declarations of
816 covenants, articles of incorporation, or bylaws, may not
817 prohibit, regardless of any official insignia or visible
818 designation, a property owner or a tenant, a guest, or an
819 invitee of the property owner from parking his or her work
820 vehicle, which is not a commercial motor vehicle as defined in
821 s. 320.01(25), in the property owner's driveway.

822 (c) A property owner from inviting, hiring, or allowing
823 entry to a contractor or worker on the owner's parcel solely



254472

824 because the contractor or worker is not on a preferred vendor
825 list of the association. Additionally, homeowners' association
826 documents may not preclude a property owner from inviting,
827 hiring, or allowing entry to a contractor or worker on his or
828 her parcel solely because the contractor or worker does not have
829 a professional or an occupational license. The association may
830 not require a contractor or worker to present or prove
831 possession of a professional or an occupational license to be
832 allowed entry onto a property owner's parcel.

833 (d) Operating a vehicle that is not a commercial motor
834 vehicle as defined in s. 320.01(25) in conformance with state
835 traffic laws, on public roads or rights-of-way or the property
836 owner's parcel.

837 Section 10. Subsection (3) of section 720.3085, Florida
838 Statutes, are amended to read:

839 720.3085 Payment for assessments; lien claims.—

840 (3) Assessments and installments on assessments that are
841 not paid when due bear interest from the due date until paid at
842 the rate provided in the declaration of covenants or the bylaws
843 of the association, which rate may not exceed the rate allowed
844 by law. If no rate is provided in the declaration or bylaws,
845 simple interest accrues at the rate of 18 percent per year.
846 Notwithstanding the declaration or bylaws, compound interest may
847 not accrue on assessments and installments on assessments that
848 are not paid when due.

849 (a) If the declaration or bylaws so provide, the
850 association may also charge an administrative late fee not to
851 exceed the greater of \$25 or 5 percent of the amount of each
852 installment that is paid past the due date.



254472

853 (b) Any payment received by an association and accepted
854 shall be applied first to any interest accrued, then to any
855 administrative late fee, then to any costs and reasonable
856 attorney fees incurred in collection, and then to the delinquent
857 assessment. This paragraph applies notwithstanding any
858 restrictive endorsement, designation, or instruction placed on
859 or accompanying a payment. A late fee is not subject to the
860 provisions of chapter 687 and is not a fine. The foregoing is
861 applicable notwithstanding s. 673.3111, any purported accord and
862 satisfaction, or any restrictive endorsement, designation, or
863 instruction placed on or accompanying a payment. The preceding
864 sentence is intended to clarify existing law.

865 (c)1. If an association sends out an invoice for
866 assessments or a parcel's statement of the account described in
867 s. 720.303(4)(a)10.b. ~~s. 720.303(4)(j)2.~~, the invoice for
868 assessments or the parcel's statement of account must be
869 delivered to the parcel owner by first-class United States mail
870 or by electronic transmission to the parcel owner's e-mail
871 address maintained in the association's official records.

872 2. Before changing the method of delivery for an invoice
873 for assessments or the statement of the account, the association
874 must deliver a written notice of such change to each parcel
875 owner. The written notice must be delivered to the parcel owner
876 at least 30 days before the association sends the invoice for
877 assessments or the statement of the account by the new delivery
878 method. The notice must be sent by first-class United States
879 mail to the owner at his or her last address as reflected in the
880 association's records and, if such address is not the parcel
881 address, must be sent by first-class United States mail to the



254472

882 parcel address. Notice is deemed to have been delivered upon
883 mailing as required by this subparagraph.

884 3. A parcel owner must affirmatively acknowledge his or her
885 understanding that the association will change its method of
886 delivery of the invoice for assessments or the statement of the
887 account before the association may change the method of
888 delivering an invoice for assessments or the statement of
889 account. The parcel owner may make the affirmative
890 acknowledgment electronically or in writing.

891 (d) An association may not require payment of attorney fees
892 related to a past due assessment without first delivering a
893 written notice of late assessment to the parcel owner which
894 specifies the amount owed the association and provides the
895 parcel owner an opportunity to pay the amount owed without the
896 assessment of attorney fees. The notice of late assessment must
897 be sent by first-class United States mail to the owner at his or
898 her last address as reflected in the association's records and,
899 if such address is not the parcel address, must also be sent by
900 first-class United States mail to the parcel address. Notice is
901 deemed to have been delivered upon mailing as required by this
902 paragraph. A rebuttable presumption that an association mailed a
903 notice in accordance with this paragraph is established if a
904 board member, officer, or agent of the association, or a manager
905 licensed under part VIII of chapter 468, provides a sworn
906 affidavit attesting to such mailing. The notice must be in
907 substantially the following form:

908
909 NOTICE OF LATE ASSESSMENT

910 RE: Parcel of ...(name of association)...



911 The following amounts are currently due on your
912 account to ...(name of association)..., and must be
913 paid within 30 days after the date of this letter.
914 This letter shall serve as the association's notice to
915 proceed with further collection action against your
916 property no sooner than 30 days after the date of this
917 letter, unless you pay in full the amounts set forth
918 below:

919 Maintenance due ...(dates)... \$.
920 Late fee, if applicable \$.
921 Interest through ...(dates)...* \$.
922 TOTAL OUTSTANDING \$.

923 *Interest accrues at the rate of percent per
924 annum.

925
926 Section 11. Section 720.317, Florida Statutes, is amended
927 to read:

928 720.317 Electronic voting.-

929 (1) The association may conduct elections and other
930 membership votes through an Internet-based online voting system
931 if a member consents, electronically or in writing, to online
932 voting and if the following requirements are met:

933 (a)~~(1)~~ The association provides each member with:

934 1.~~(a)~~ A method to authenticate the member's identity to the
935 online voting system.

936 2.~~(b)~~ A method to confirm, at least 14 days before the
937 voting deadline, that the member's electronic device can
938 successfully communicate with the online voting system.

939 3.~~(c)~~ A method that is consistent with the election and



254472

940 voting procedures in the association's bylaws.

941 (b)~~(2)~~ The association uses an online voting system that
942 is:

943 1.~~(a)~~ Able to authenticate the member's identity.

944 2.~~(b)~~ Able to authenticate the validity of each electronic
945 vote to ensure that the vote is not altered in transit.

946 3.~~(c)~~ Able to transmit a receipt from the online voting
947 system to each member who casts an electronic vote.

948 4.~~(d)~~ Able to permanently separate any authentication or
949 identifying information from the electronic election ballot,
950 rendering it impossible to tie an election ballot to a specific
951 member. This subparagraph ~~paragraph~~ only applies if the
952 association's bylaws provide for secret ballots for the election
953 of directors.

954 5.~~(e)~~ Able to store and keep electronic ballots accessible
955 to election officials for recount, inspection, and review
956 purposes.

957 (2)~~(3)~~ A member voting electronically pursuant to this
958 section shall be counted as being in attendance at the meeting
959 for purposes of determining a quorum.

960 (3)~~(4)~~ This section applies to an association that provides
961 for and authorizes an online voting system pursuant to this
962 section by a board resolution. The board resolution must provide
963 that members receive notice of the opportunity to vote through
964 an online voting system, must establish reasonable procedures
965 and deadlines for members to consent, electronically or in
966 writing, to online voting, and must establish reasonable
967 procedures and deadlines for members to opt out of online voting
968 after giving consent. Written notice of a meeting at which the



254472

969 board resolution regarding online voting will be considered must
970 be mailed, delivered, or electronically transmitted to the unit
971 owners and posted conspicuously on the condominium property or
972 association property at least 14 days before the meeting.

973 Evidence of compliance with the 14-day notice requirement must
974 be made by an affidavit executed by the person providing the
975 notice and filed with the official records of the association.

976 (4)~~(5)~~ A member's consent to online voting is valid until
977 the member opts out of online voting pursuant to the procedures
978 established by the board of administration under subsection (3)
979 ~~pursuant to subsection (4)~~.

980 (5)~~(6)~~ This section may apply to any matter that requires a
981 vote of the members.

982 Section 12. Section 720.318, Florida Statutes, is amended
983 to read:

984 720.318 First responder ~~Law enforcement~~ vehicles.—An
985 association may not prohibit a first responder ~~law enforcement~~
986 ~~officer~~, as defined in s. 112.1815(1) ~~s. 943.10(1)~~, who is a
987 parcel owner, or who is a tenant, guest, or invitee of a parcel
988 owner, from parking his or her assigned first responder ~~law~~
989 ~~enforcement~~ vehicle in an area where the parcel owner, or the
990 tenant, guest, or invitee of the parcel owner, otherwise has a
991 right to park, including on public roads or rights-of-way.

992 Section 13. This act shall take effect July 1, 2024.

993
994 ===== T I T L E A M E N D M E N T =====

995 And the title is amended as follows:

996 Delete everything before the enacting clause
997 and insert:



254472

A bill to be entitled

An act relating to homeowners' associations; amending s. 468.4334, F.S.; providing requirements for certain community association managers and community association management firms; amending s. 468.4337, F.S.; requiring certain community association managers to take a specific number of hours of continuing education biennially; amending s. 720.303, F.S.; requiring that official records of a homeowners' association be maintained for a certain number of years; requiring certain associations to post certain documents on its website or make available such documents through an application by a date certain; providing requirements for an association's website or application; requiring an association to provide certain information to parcel owners upon request; requiring an association to ensure certain information and records are not accessible on the website or application; providing that an association or its agent is not liable for the disclosure of certain information; requiring an association to adopt certain rules; providing criminal penalties; defining the term "repeatedly"; requiring an association to provide or make available subpoenaed records within a certain timeframe; requiring an association to assist in a law enforcement investigation as allowed by law; requiring that certain associations prepare audited financial statements; prohibiting associations from preparing financial statements for consecutive years;



254472

1027 prohibiting an association and certain persons from
1028 using specified debit cards for payment of association
1029 expenses; providing a criminal penalty; defining the
1030 term "lawful obligation of the association"; requiring
1031 a detailed accounting of amounts due to the
1032 association be given to certain persons within a
1033 certain timeframe upon written request; limiting how
1034 often certain persons may request from the board a
1035 detailed accounting; providing for a waiver of
1036 outstanding fines which are more than a specified
1037 timeframe past due under certain circumstances; making
1038 technical changes; amending s. 720.3033, F.S.;

1039 providing education requirements for newly elected or
1040 appointed directors; providing requirements for the
1041 educational curriculum; requiring certain directors to
1042 complete a certain number of hours of continuing
1043 education annually; requiring the Department of
1044 Business and Professional Regulation to adopt certain
1045 rules; defining the term "kickback"; providing
1046 criminal penalties for certain actions by an officer,
1047 a director, or a manager of an association; providing
1048 that a vacancy is declared if a director or an officer
1049 is charged by information or indictment with certain
1050 crimes; making technical changes; amending s.
1051 720.3035, F.S.; requiring an association or any
1052 architectural, construction improvement, or other such
1053 similar committee of an association to apply and
1054 enforce certain standards reasonably and equitably;
1055 prohibiting an association or certain committees of



254472

1056 the association from enforcing or adopting certain
1057 covenants, rules, or guidelines; requiring an
1058 association or any architectural, construction
1059 improvement, or other such similar committee of an
1060 association to provide certain written notice to a
1061 parcel owner; amending s. 720.3045, F.S.; authorizing
1062 parcel owners or their tenants to install, display, or
1063 store clotheslines and vegetable gardens under certain
1064 circumstances; conforming to a provision made by this
1065 act; amending s. 720.305, F.S.; specifying the manner
1066 in which fines, suspensions, attorney fees, and costs
1067 are determined; requiring that certain notices be
1068 provided to parcel owners and, if applicable, an
1069 occupant, a licensee, or an invitee of the parcel
1070 owner; requiring that certain hearings be held within
1071 a specified timeframe and authorizing such hearings to
1072 be held by telephone or other electronic means;
1073 prohibiting a fine or suspension from being imposed if
1074 a violation has been cured before the hearing;
1075 requiring the committee to set a hearing no later than
1076 a specified timeframe if a violation is not cured;
1077 prohibiting attorney fees and costs from being awarded
1078 against a parcel owner based on certain actions by the
1079 board before the date the fine is to be paid;
1080 prohibiting an association from levying a fine or
1081 imposing a suspension for certain actions; amending s.
1082 720.3065, F.S.; providing criminal penalties for
1083 certain voting violations; providing applicability;
1084 making technical changes; amending s. 720.3075, F.S.;



254472

1085 prohibiting certain homeowners' association documents
1086 from precluding property owners from taking, limiting,
1087 or requiring certain actions; amending s. 720.3085,
1088 F.S.; specifying when a lien is effective for
1089 mortgages of record; deleting provisions relating to
1090 the priority of certain liens, mortgages, or certified
1091 judgments; specifying that simple interest accrues on
1092 assessments and installments on assessments that are
1093 not paid when due; providing that assessments and
1094 installments on assessments may not accrue compound
1095 interest; amending s. 720.317, F.S.; authorizing a
1096 member to consent electronically to online voting if
1097 certain conditions are met; amending s. 720.318, F.S.;
1098 authorizing a law enforcement officer to park his or
1099 her assigned law enforcement vehicle on public roads
1100 and rights-of-way; providing an effective date.