



2024 Florida Legislative Session Report

FLORIDA LEGISLATIVE ALLIANCE

Meet Your Presenters

Lisa Magill, Esq.

Board Certified, Condo & PUD
Fellow, College of Community
Association Lawyers

Kaye Bender Rembaum



CAI-FLA Delegates
Southeast Florida Chapter



Jason Schoenholtz
CAM, CMCA, AMS PCAM
Co-Founder, Trident Management

CAM licensed since 2000
CAI Member since 2013

CAI Southeast Florida
President-Elect



Michael Poorman

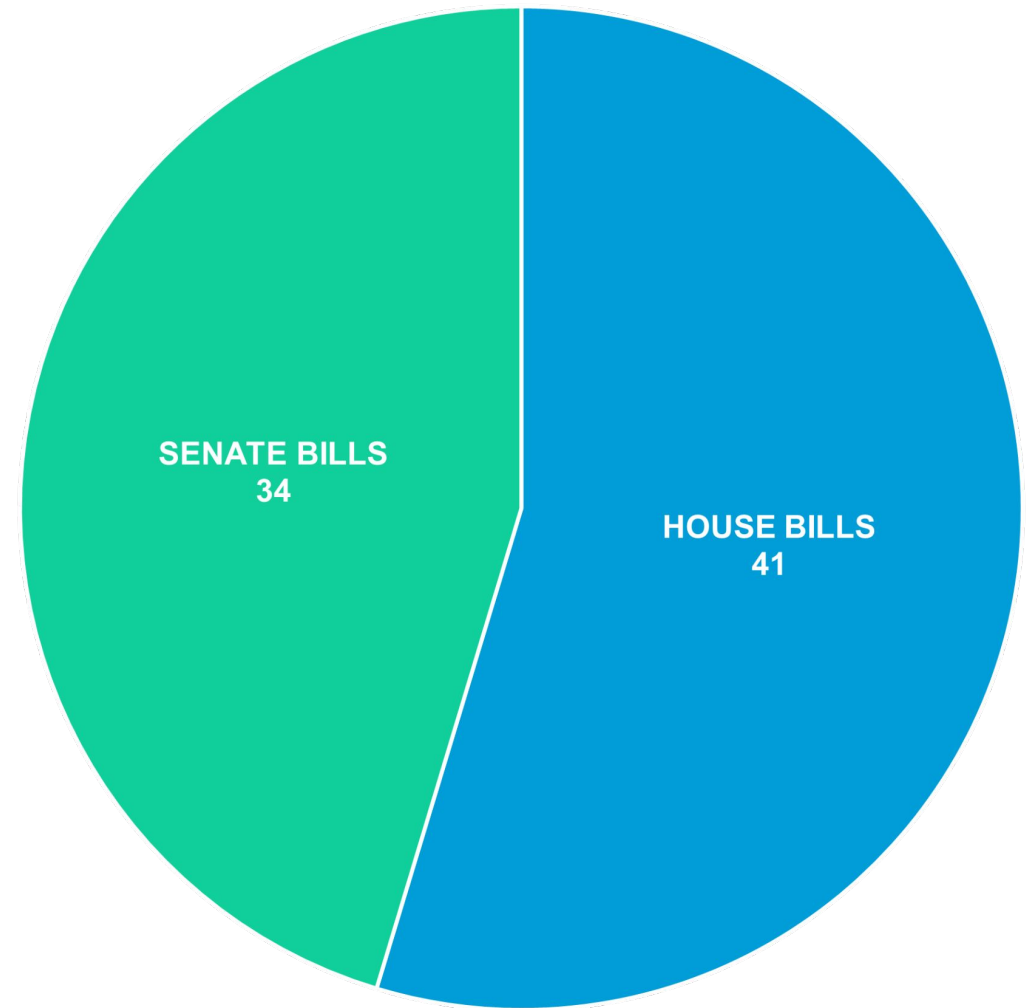
Board President
Mariposa Pointe at Weston Town
Center Condominium Association

CAI Homeowner Leader
Member Since 2019

CAI Southeast Florida President 2

Summary: 2024 FLA's Legislative Impact

- Last year, CAI-FLA actively tracked 27 bills, of which only 4 were ultimately approved and signed into law by the Governor.
- This year, the FLA team actively tracked 75 bills of which the following 5 pivotal bills passed:
 - HB 293 HOA Hurricane Protection
 - HB 59 Provision of HOA Rules and Covenants
 - HB 1029 My Safe Florida Home Program
 - HB 1021 Community Associations
 - HB 1203 Homeowners Associations
- This influx of legislative activity presented an unprecedented challenge for Community Associations, profoundly affecting numerous aspects of association living and management.



- Throughout the 2024 legislative session, which adjourned on March 8th, it became increasingly apparent that the concern wasn't solely the sheer quantity of bills, but rather the substantial implications they carried for associations.
- CAI's proactive advocacy efforts effectively mitigated potential harm and ensured favorable outcomes.
- The enacted bills reflect a more balanced and measured approach, providing significant support to associations and their stakeholders.
- Thanks in large part to CAI's advocacy, critical bills like HB 173 (Not-for-profit Corporations that Operate Residential Homeowners' Associations) and SB 278 (Estoppel Certificates) did not succeed in passing, averting potential harm to community associations!



2024 Bills (With Links)

SB 50/HB 59 HOA Rules and Covenants

<https://flsenate.gov/Session/Bill/2024/59>

SB 1178/HB 1021
Community Associations

<https://flsenate.gov/Session/Bill/2024/1021/BillText/e1/PDF>

SB 600/HB 293 HOA Hurricane Protection

<https://flsenate.gov/Session/Bill/2024/293>

SB 278/HB 979 Estoppel Certificates

<https://flsenate.gov/Sess>

[PDF](#)



SB 484/HB 1049
Flood Disclosures/Residential

<https://flsenate.gov/Session/Bill/2024/1049/BillText/er/PDF>

SB 484/HB 1049
Flood Disclosures/Residential

<https://flsenate.gov/Session/Bill/2024/1049/BillText/er/PDF>

SB 1366/HB 1029
My Safe Condo Pilot Program

<https://flsenate.gov/Session/Bill/2024/1029/BillText/er/PDF>

SB 7044/ HB 1203
Homeowners' Associations

<https://flsenate.gov/Session/Bill/2024/1203>

SB 1716/HB 1503
Citizens Property Insurance

<https://flsenate.gov/Session/Bill/2024/1716/BillText/c2/PDF>

SB 600 / HB 293 HOA Hurricane Protection

Allows Owners to Improve Homes According to Association Specifications



HOA MUST ADOPT
HURRICANE
PROTECTION
SPECIFICATIONS

HOA CANNOT REJECT
ACC REQUESTS THAT
CONFORM TO ADOPTED
SPECIFICATIONS

HURRICANE PROTECTION INCLUDES

- ❖ Roofs
- ❖ Affixed Storm Shutters
- ❖ Impact Windows/Doors
- ❖ Polycarbonate Panels
- ❖ Reinforced Garage Doors
- ❖ Erosion Controls
- ❖ Exterior Fixed Generators
- ❖ Fuel Storage Tanks

SB 50 / HB 59

HOA Rules & Covenants



HOAs must:

Distribute rules/covenants by 10/1/24 to all owners



Furnish new owners with rules/covenants

Distribute amendments to all owners

May upload documents to website – with notice of posting sent electronically or via mail

Note - Obtain Consent to Electronic Mail to save time & expense of distribution & set up Website to house documents and notices

CS/CS/HB 1029

My Safe Florida Condominium Pilot Program

Extends My Safe Florida Home Program to
Condominium Properties



- Offers inspections and mitigation grants
- Mitigation grant applications must be approved by board or membership and ALL owners of units within the building to be improved
- Grants only offered to association (not owners individually)
- Asn must furnish all owners with disclosures before voting to apply for program
- Mitigation improvements must be completed within 1 year of grant approval (unless extension granted)
- Grants based on \$1.00 for every \$2.00 spent by Asn

CS/CS/HB 1021 Community Associations

From Florida Politics:

*Before Session even started, Sen. Bradley clocked in miles traveling the state in the offseason and brought together diverse stakeholders, and from there pretty much wrote "**Condo 3.0**," the major condo law rewrite bill. It was the rare piece of industry legislation driven by a lawmaker, not a lobbyist.*

HB 1021 could have a serious impact on community association operations.

How DBPR will implement its new role is unclear.

Changes Applicable to DBPR

CS/CS/HB 1021 Community Associations

- Clarifies and expands the jurisdiction of the Division of Condominiums, Timeshares and Mobile Homes (Division) after turnover occurs.
 - ◆ Adds power to investigate conflicts of interest; failure to respond to written inquiries & to remove officers or directors for accepting kickbacks, use of debit cards for personal expenses, abandonment of office or when charged with a crime.
- Requires Division employees to refer theft or embezzlement to law enforcement agencies.
- Requires the Division to create a database on its website of the condominium and cooperative associations that have completed their structural integrity reserve study by January 1, 2025.
- Gives the Division the power to attend Asn meetings.
- Gives the Division the power to request access to an Asn website in response to records request.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2024, unless otherwise expressly provided.

Changes Applicable to CAMS

CAMS MUST

- Return all official records within 20 business days
- Disclose all conflicts of interest
- Solicit competitive bids if bidding with interested service provider (contracts > \$2,500)
- Include conflict disclosures on all contracts, meeting agenda & minutes
 - ◆ Contract to be approved by board must be attached to agenda or otherwise made available to owners before vote
- Contracts with interested service providers must be approved with affirmative vote of 2/3rds of board members participating at meeting
- 20% of the members may cancel contracts when conflicts not disclosed

CS/CS/HB 1021 continued ..

Changes Applicable to Official Records

- Records include:
 - ◆ Invoices, receipts, deposit slips, payment records, building permits & board member education certificates
- Asn obligated to make good faith effort to obtain and/or recover records absent from inventory
- Asn must furnish **checklist of records** made available for inspection
 - ◆ Checklist must identify any requested records not made available during inspection
 - ◆ Checklist must be retained for 7 years
- Enhanced penalties for willful / repeated violations
- Websites are required for condos with 25 units or more
- Contracts to be approved must be attached to agenda for meeting or otherwise made available to owners at or before meeting
- Asn cannot waive financial reporting requirements for consecutive years.

Changes for Association Operations

Cannot waive financial reporting requirements for consecutive years.

- Must hold board meetings at least quarterly and allow members to ask questions about:
 - Status of construction projects
 - Revenues and expenses for current fiscal year
- Requires recording of certificate attesting to vote to mandate hurricane protection (impact-rated windows & doors)
- Owners who opt-in to electronic voting must be permitted to vote electronically in subsequent voting events
- Must notify owners 90 days prior to election of delinquency status and possible suspension of voting rights
- Requires all directors to attend education sessions
 - Initial session is 4 hour class
 - Yearly 1 hour updates required
 - Certificate valid for 7 years of continuous service
 - Must certify annually that all directors complied with educational requirements

CS/CS/HB 1203 Homeowners Associations

CHANGES APPLICABLE TO CAMS: CAMS MUST

- Attend (in person) at least one meeting per year
- Furnish HOA owners with
 - Contact info for each CAM/representative assigned to account
 - The CAM's or representative's hours of availability
 - A summary of the duties of the CAM or CAM Firm; and
 - A copy of the contract with the HOA
- Complete 5 hours of education specific to HOAs every 2 years
 - At least 3 of the 5 hours of education must focus on recordkeeping

continued ...

CS/CS/HB 1203 Homeowners Associations

Bill also imposes penalties for fraudulent voting activities.

CHANGES APPLICABLE TO HOA GOVERNANCE; HOAs MUST

- Post official records on a website (communities with 100 or more parcels) by Jan. 1, 2025
- Furnish documents or provide access to law enforcement within 5 business days of receipt of a subpoena
- Assist law enforcement as appropriate
- Obtain an annual audit (communities with 1,000 or more parcels regardless of income)
- Prepare financial reports (eliminates the ability to waive the required level of financial reporting for consecutive years)
- Stop use of any HOA debit cards

CHANGES APPLICABLE TO HOA DIRECTORS & OFFICERS

HOA DIRECTORS AND OFFICERS MUST:

CS/CS/HB 1203 Homeowners Associations

Clarifies directors fiduciary obligations to:

- Act in good faith;
- With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
- In a manner he or she reasonably believes to be in the best interests of the corporation.

- Complete mandatory education covering financial operations/transparency, recordkeeping, fining process and meeting notice requirements.
 - 4 hours of education annually for HOA directors governing communities with less than 2,500 parcels
 - 8 hours of education annually for HOA directors governing communities with more than 2,500 parcels
- Leave office if charged with criminal offenses concerning the HOA
- Furnish individual ledgers/accounting to homeowners within 15 business days of request
- Refrain from regulating interior changes (not visible from exterior)
- Eliminate ARC review of interior HVAC systems (not visible from exterior or permitted by guidelines)
- Pinpoint rule or covenant as grounds to deny ARC request

CHANGES REGARDING HOA PARKING/VEHICLE REGULATIONS

CS/CS/HB 1203 Homeowners Associations

- Cannot prohibit parking personal vehicle (including pick-up truck) in driveway or other parking area
- Cannot prohibit owners, tenants, guests or invitees from bringing or parking work vehicles in the community
- Cannot restrict homeowners' selection of contractor or service provider (can't require proof of license)
- Cannot prohibit law enforcement vehicles for owners, guests or tenants
- Cannot prohibit owners, tenants, guests or invitees from parking first responder vehicles on property

continued ...

CHANGES REGARDING HOA FINES

CS/CS/HB 1203 Homeowners Associations

The HOA may lien for fines over \$1,000 if there is authority to do so in the governing documents.

- HOA cannot levy fines for:
 - Leaving garbage receptacles out less than 24 hours before or after the designated garbage day.
 - Leaving holiday decorations or lights up, unless they have not been removed after 1 week after the association provides written notice.
- New procedures for fines:
 - Hearing must be held within 90 days of notice
 - Cannot collect fine if violation remedied within time frame in notice or before hearing
 - Cannot require payment less than 30 days from notice that fine approved
 - Must furnish person sought to be fined with written committee finding within 7 days of hearing
 - Must furnish instructions for payment of fine or compliance with suspension of use rights

CAI RESOURCES

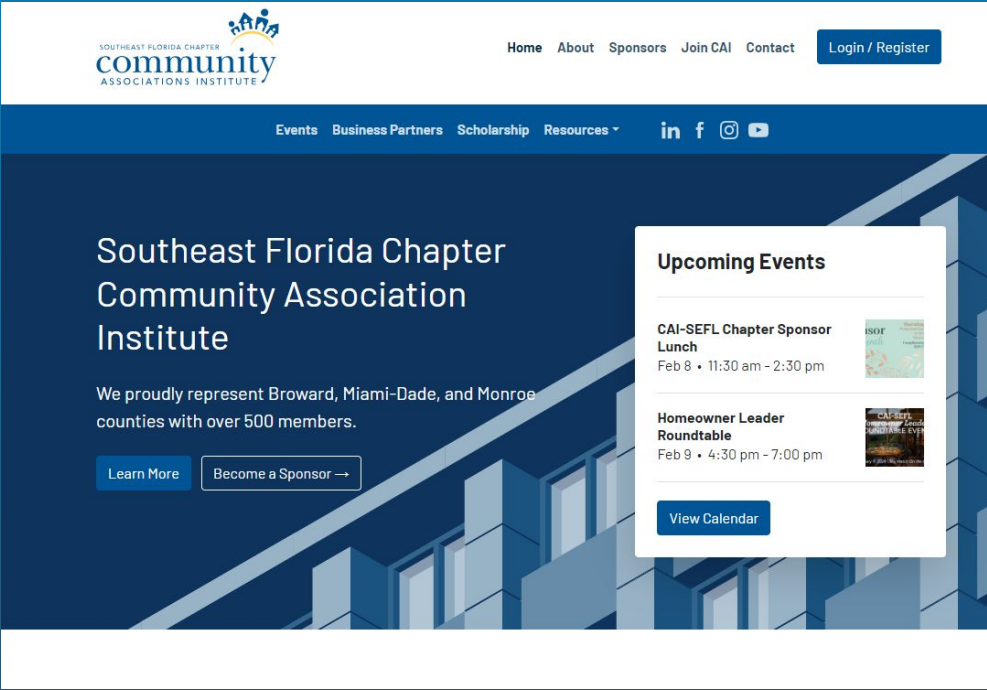
- » CAI Advocacy Website at www.caionline.org/advocacy
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Your Chapter - Exciting Times



New Website - Everything You Need



What's Happening

- March 28 Homeowner Leader Roundtable
- April 9 Education Webinar: Legal Update
- May 14 Education Webinar: Hurricane Preparedness
- May 23 Membership Gathering Riverside Hotel Ft. Lauderdale
- June 7 CAISEFL Picnic CB Smith Park
- June 11 Education Webinar: Elections and Annual Meetings
- June 13 Membership Gathering Ball & Chain Miami
- August 17 Homeowner Officer Workshop
- August 24 Community Manager Workshop
- September 25 Sponsor Lunch
- October 24 Halloween Party
- November 14 Annual Gala and Recognition Awards Jungle Island

Web: cai-seflorida.org

Email: ced@cai-seflorida.org

