

1 A bill to be entitled
2 An act relating to homeowners' associations; amending
3 s. 468.4334, F.S.; providing requirements for certain
4 community association managers and community
5 association management firms; amending s. 468.4337,
6 F.S.; requiring certain community association managers
7 to take a specific number of hours of continuing
8 education biennially; amending s. 720.303, F.S.;
9 requiring official records of a homeowners'
10 association to be maintained for a certain number of
11 years; requiring an association to post certain
12 documents on its website or make such documents
13 available through an application by a date certain;
14 providing requirements for an association's website or
15 application; requiring an association to provide
16 certain information to parcel owners upon request;
17 requiring an association to ensure certain information
18 and records are not accessible on the website or
19 application; providing that an association or its
20 agent is not liable for the disclosure of certain
21 information; requiring an association to adopt certain
22 rules; requiring an association to provide or make
23 available subpoenaed records within a certain
24 timeframe; requiring an association to assist in a law
25 enforcement investigation as allowed by law; requiring

26 | that certain associations use an independent certified
27 | public accountant to prepare its annual budget;
28 | requiring certain associations to retain an attorney
29 | for certain purposes; prohibiting certain persons from
30 | acting as the accountant or attorney; providing that
31 | officers and directors of a homeowners' association
32 | are subject to certain standards; requiring a detailed
33 | accounting of amounts due to the association be given
34 | to certain persons within a certain timeframe upon
35 | written request; limiting how often certain persons
36 | may request from the board a detailed accounting;
37 | providing for a complete waiver of outstanding fines
38 | under certain circumstances; amending s. 720.3033,
39 | F.S.; providing education requirements for newly
40 | elected or appointed directors; providing requirements
41 | for the educational curriculum; requiring certain
42 | directors to complete a certain number of hours of
43 | continuing education annually; requiring the
44 | Department of Business and Professional Regulation to
45 | adopt certain rules; providing criminal penalties for
46 | certain actions by an officer, a director, or a
47 | manager of an association; amending s. 720.3035, F.S.;
48 | requiring an association or any architectural,
49 | construction improvement, or other such similar
50 | committee of an association to apply and enforce

51 certain standards reasonably and equitably; requiring
52 an association or any architectural, construction
53 improvement, or other such similar committee of an
54 association to provide certain written notice to a
55 parcel owner; prohibiting an association or certain
56 committees of the association from enforcing or
57 adopting certain covenants, rules, or guidelines;
58 authorizing a parcel owner to appeal certain decisions
59 of the association or certain committees of the
60 association to an appeals committee within a specified
61 time frame; providing for membership and authority of
62 the appeals committee; requiring the appeals committee
63 to make its decisions within a specified time frame;
64 amending s. 720.3045, F.S.; authorizing parcel owners
65 or their tenants to install, display, or store
66 clotheslines and vegetable gardens under certain
67 circumstances; amending s. 720.305, F.S.; prohibiting
68 certain fines from being aggregated and becoming a
69 lien on a parcel without a supermajority vote of a
70 certain percentage of the voting members; specifying
71 how fines, suspensions, attorney fees, and costs are
72 determined; requiring certain notices to be provided
73 to parcel owners and, if applicable, an occupant, a
74 licensee, or an invitee of the parcel owner; requiring
75 certain hearings to be held within a specified

76 | timeframe and authorizing such hearings to be held by
 77 | telephone or other electronic means; prohibiting the
 78 | accrual of attorney fees and costs after a specified
 79 | time; specifying the priority of payments made by a
 80 | parcel owner to an association; authorizing certain
 81 | persons to request a hearing to dispute certain fees
 82 | and costs; providing that certain fines may not become
 83 | a lien on a parcel; requiring fines or suspensions
 84 | related to traffic infractions to be determined and
 85 | issued by a certain person; prohibiting a parcel owner
 86 | from being fined for certain traffic infractions;
 87 | defining the term "traffic infraction"; prohibiting an
 88 | association from levying a fine or imposing a
 89 | suspension for certain actions; prohibiting an
 90 | association from enforcing certain rules or covenants
 91 | under certain circumstances; amending s. 720.3075,
 92 | F.S.; prohibiting certain homeowners' association
 93 | documents from precluding property owners from taking
 94 | certain actions; prohibiting homeowners' association
 95 | documents from limiting or requiring certain actions;
 96 | amending s. 720.308, F.S.; prohibiting a board from
 97 | increasing assessments by more than specified
 98 | percentages without a supermajority vote of a certain
 99 | percentage of the voting members; providing an
 100 | exception; prohibiting certain assessments from

101 becoming a lien on a parcel without a supermajority
 102 vote of a certain percentage of the voting members;
 103 amending s. 720.3085, F.S.; specifying when a lien is
 104 effective for mortgages of record; deleting provisions
 105 relating to the priority of certain liens, mortgages,
 106 or certified judgments; amending s. 720.318, F.S.;
 107 authorizing a law enforcement officer to park his or
 108 her assigned law enforcement vehicle on public roads
 109 and rights-of-way; providing an effective date.

110

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

112

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

115 468.4334 Professional practice standards; liability;
 116 community association manager requirements.—

117 (3) A community association manager or community
 118 association management firm that is authorized by contract to
 119 provide community association management services to a
 120 homeowners' association must do all of the following:

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

123 (b) Provide to the members of the homeowners' association
 124 the name and contact information for each community association
 125 manager or representative of a community association management

126 firm assigned to the homeowners' association, the manager's or
 127 representative's hours of availability, and a summary of the
 128 duties for which the manager or representative is responsible.
 129 The homeowners' association must also post this information on
 130 the association's website or application required under s.
 131 720.303(4) (b). The community association manager or community
 132 association management firm must update the homeowners'
 133 association and its members within 14 business days after any
 134 change to such information.

135 (c) Provide to any member upon request a copy of the
 136 contract between the community association manager or community
 137 association management firm and the homeowners' association and
 138 include such contract with association's governing documents.

139 Section 2. Section 468.4337, Florida Statutes, is amended
 140 to read:

141 468.4337 Continuing education.—The department may not
 142 renew a license until the licensee submits proof that the
 143 licensee has completed the requisite hours of continuing
 144 education. ~~No more than 10 hours of continuing education~~
 145 ~~annually shall be required for renewal of a license.~~ The number
 146 of continuing education hours, criteria, and course content
 147 shall be approved by the council by rule. The council may not
 148 require more than 10 hours of continuing education annually for
 149 renewal of a license. A community association manager who
 150 provides community association management services to a

151 homeowners' association must biennially complete at least 5
152 hours of continuing education that pertains specifically to
153 homeowners' associations, 3 hours of which must relate to
154 recordkeeping.

155 Section 3. Subsections (1), (4), and (5), and paragraphs
156 (a), (d), and (f) of subsection (6) of section 720.303, Florida
157 Statutes, is amended, and subsection (13) is added to that
158 section, to read:

159 720.303 Association powers and duties; meetings of board;
160 official records; budgets; financial reporting; association
161 funds; recalls.—

162 (1) POWERS AND DUTIES.—An association that ~~which~~ operates
163 a community as defined in s. 720.301, must be operated by an
164 association that is a Florida corporation. After October 1,
165 1995, the association must be incorporated and the initial
166 governing documents must be recorded in the official records of
167 the county in which the community is located. An association may
168 operate more than one community. The officers and directors of
169 an association are subject to s. 617.0830 and have a fiduciary
170 relationship to the members who are served by the association.
171 The powers and duties of an association include those set forth
172 in this chapter and, except as expressly limited or restricted
173 in this chapter, those set forth in the governing documents.
174 After control of the association is obtained by members other
175 than the developer, the association may institute, maintain,

176 settle, or appeal actions or hearings in its name on behalf of
177 all members concerning matters of common interest to the
178 members, including, but not limited to, the common areas; roof
179 or structural components of a building, or other improvements
180 for which the association is responsible; mechanical,
181 electrical, or plumbing elements serving an improvement or
182 building for which the association is responsible;
183 representations of the developer pertaining to any existing or
184 proposed commonly used facility; and protesting ad valorem taxes
185 on commonly used facilities. The association may defend actions
186 in eminent domain or bring inverse condemnation actions. Before
187 commencing litigation against any party in the name of the
188 association involving amounts in controversy in excess of
189 \$100,000, the association must obtain the affirmative approval
190 of a majority of the voting interests at a meeting of the
191 membership at which a quorum has been attained. This subsection
192 does not limit any statutory or common-law right of any
193 individual member or class of members to bring any action
194 without participation by the association. A member does not have
195 authority to act for the association by virtue of being a
196 member. An association may have more than one class of members
197 and may issue membership certificates. An association of 15 or
198 fewer parcel owners may enforce only the requirements of those
199 deed restrictions established prior to the purchase of each
200 parcel upon an affected parcel owner or owners.

201 (4) OFFICIAL RECORDS.—

202 (a) The association shall maintain each of the following
 203 items, when applicable, for at least 7 years, unless the
 204 governing documents of the association require a longer period
 205 of time, which constitute the official records of the
 206 association:

207 1.(a) Copies of any plans, specifications, permits, and
 208 warranties related to improvements constructed on the common
 209 areas or other property that the association is obligated to
 210 maintain, repair, or replace.

211 2.(b) A copy of the bylaws of the association and of each
 212 amendment to the bylaws.

213 3.(c) A copy of the articles of incorporation of the
 214 association and of each amendment thereto.

215 4.(d) A copy of the declaration of covenants and a copy of
 216 each amendment thereto.

217 5.(e) A copy of the current rules of the homeowners'
 218 association.

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

222 7.(g) A current roster of all members and their designated
 223 mailing addresses and parcel identifications. A member's
 224 designated mailing address is the member's property address,
 225 unless the member has sent written notice to the association

226 requesting that a different mailing address be used for all
227 required notices. The association shall also maintain the e-mail
228 addresses and the facsimile numbers designated by members for
229 receiving notice sent by electronic transmission of those
230 members consenting to receive notice by electronic transmission.
231 A member's e-mail address is the e-mail address the member
232 provided when consenting in writing to receiving notice by
233 electronic transmission, unless the member has sent written
234 notice to the association requesting that a different e-mail
235 address be used for all required notices. The e-mail addresses
236 and facsimile numbers provided by members to receive notice by
237 electronic transmission must be removed from association records
238 when the member revokes consent to receive notice by electronic
239 transmission. However, the association is not liable for an
240 erroneous disclosure of the e-mail address or the facsimile
241 number for receiving electronic transmission of notices.

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

245 9.~~(i)~~ A current copy of all contracts to which the
246 association is a party, including, without limitation, any
247 management agreement, lease, or other contract under which the
248 association has any obligation or responsibility. Bids received
249 by the association for work to be performed are ~~must also be~~
250 considered official records and must be kept for a period of 1

251 year.

252 10.~~(j)~~ The financial and accounting records of the
 253 association, kept according to good accounting practices. ~~All~~
 254 ~~financial and accounting records must be maintained for a period~~
 255 ~~of at least 7 years.~~ The financial and accounting records must
 256 include:

257 a.1. Accurate, itemized, and detailed records of all
 258 receipts and expenditures.

259 b.2. A current account and a periodic statement of the
 260 account for each member, designating the name and current
 261 address of each member who is obligated to pay assessments, the
 262 due date and amount of each assessment or other charge against
 263 the member, the date and amount of each payment on the account,
 264 and the balance due.

265 c.3. All tax returns, financial statements, and financial
 266 reports of the association.

267 d.4. Any other records that identify, measure, record, or
 268 communicate financial information.

269 11.~~(k)~~ A copy of the disclosure summary described in s.
 270 720.401(1).

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

275 13.~~(m)~~ All affirmative acknowledgments made pursuant to s.

276 720.3085(3)(c)3.

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

280 (b)1. By January 1, 2025, an association shall post a
281 current digital copy of the documents specified in paragraph (a)
282 on its website or make such documents available through an
283 application that can be downloaded on a mobile device.

284 2. The association's website or application must be
285 accessible through the Internet and must contain a subpage, web
286 portal, or other protected electronic location that is
287 inaccessible to the general public and accessible only to parcel
288 owners and employees of the association.

289 3. Upon written request by a parcel owner, the association
290 must provide the parcel owner with a username and password and
291 access to the protected sections of the association's website or
292 application which contains the official documents of the
293 association.

294 4. The association shall ensure that the information and
295 records described in paragraph (5)(d), which are not allowed to
296 be accessible to parcel owners, are not posted on the
297 association's website or application. If protected information
298 or information restricted from being accessible to parcel owners
299 is included in documents that are required to be posted on the
300 association's website or application, the association must

301 ensure the information is redacted before posting the documents.
 302 Notwithstanding the foregoing, the association or its authorized
 303 agent is not liable for disclosing information that is protected
 304 or restricted under paragraph (5) (d) unless such disclosure was
 305 made with a knowing or intentional disregard of the protected or
 306 restricted nature of such information.

307 (c) The association shall adopt written rules governing
 308 the method or policy by which the official records of the
 309 association are to be retained and for how long such records
 310 must be retained. Such information must be made available to the
 311 parcel owners through the association's website or application.

312 (5) INSPECTION AND COPYING OF RECORDS.—Unless otherwise
 313 provided by law or the governing documents of the association,
 314 the official records must ~~shall~~ be maintained within the state
 315 for at least 7 years and ~~shall~~ be made available to a parcel
 316 owner for inspection or photocopying within 45 miles of the
 317 community or within the county in which the association is
 318 located within 10 business days after receipt by the board or
 319 its designee of a written request from the parcel owner. This
 320 subsection may be complied with by having a copy of the official
 321 records available for inspection or copying in the community or,
 322 ~~at the option of the association,~~ by making the records
 323 available to a parcel owner electronically via the association's
 324 website or application ~~Internet~~ or by allowing the records to be
 325 viewed in electronic format on a computer screen and printed

326 upon request. If the association has a photocopy machine
327 available where the records are maintained, it must provide
328 parcel owners with copies on request during the inspection if
329 the entire request is limited to no more than 25 pages. An
330 association shall allow a member or his or her authorized
331 representative to use a portable device, including a smartphone,
332 tablet, portable scanner, or any other technology capable of
333 scanning or taking photographs, to make an electronic copy of
334 the official records in lieu of the association's providing the
335 member or his or her authorized representative with a copy of
336 such records. The association may not charge a fee to a member
337 or his or her authorized representative for the use of a
338 portable device.

339 (a) The failure of an association to provide access to the
340 records within 10 business days after receipt of a written
341 request submitted by certified mail, return receipt requested,
342 creates a rebuttable presumption that the association willfully
343 failed to comply with this subsection.

344 (b) A member who is denied access to official records is
345 entitled to the actual damages or minimum damages for the
346 association's willful failure to comply with this subsection.
347 The minimum damages are to be \$50 per calendar day up to 10
348 days, the calculation to begin on the 11th business day after
349 receipt of the written request.

350 (c) The association may adopt reasonable written rules

351 governing the frequency, time, location, notice, records to be
352 inspected, and manner of inspections, but may not require a
353 parcel owner to demonstrate any proper purpose for the
354 inspection, state any reason for the inspection, or limit a
355 parcel owner's right to inspect records to less than one 8-hour
356 business day per month. The association may impose fees to cover
357 the costs of providing copies of the official records, including
358 the costs of copying and the costs required for personnel to
359 retrieve and copy the records if the time spent retrieving and
360 copying the records exceeds one-half hour and if the personnel
361 costs do not exceed \$20 per hour. Personnel costs may not be
362 charged for records requests that result in the copying of 25 or
363 fewer pages. The association may charge up to 25 cents per page
364 for copies made on the association's photocopier. If the
365 association does not have a photocopy machine available where
366 the records are kept, or if the records requested to be copied
367 exceed 25 pages in length, the association may have copies made
368 by an outside duplicating service and may charge the actual cost
369 of copying, as supported by the vendor invoice. The association
370 shall maintain an adequate number of copies of the recorded
371 governing documents, to ensure their availability to members and
372 prospective members.

373 (d) Notwithstanding this subsection ~~paragraph~~, the
374 following records are not accessible to members or parcel
375 owners:

376 1. Any record protected by the lawyer-client privilege as
 377 described in s. 90.502 and any record protected by the work-
 378 product privilege, including, but not limited to, a record
 379 prepared by an association attorney or prepared at the
 380 attorney's express direction which reflects a mental impression,
 381 conclusion, litigation strategy, or legal theory of the attorney
 382 or the association and which was prepared exclusively for civil
 383 or criminal litigation or for adversarial administrative
 384 proceedings or which was prepared in anticipation of such
 385 litigation or proceedings until the conclusion of the litigation
 386 or proceedings.

387 2. Information obtained by an association in connection
 388 with the approval of the lease, sale, or other transfer of a
 389 parcel.

390 3. Information an association obtains in a gated community
 391 in connection with guests' visits to parcel owners or community
 392 residents.

393 4. Personnel records of association or management company
 394 employees, including, but not limited to, disciplinary, payroll,
 395 health, and insurance records. For purposes of this
 396 subparagraph, the term "personnel records" does not include
 397 written employment agreements with an association or management
 398 company employee or budgetary or financial records that indicate
 399 the compensation paid to an association or management company
 400 employee.

401 5. Medical records of parcel owners or community
402 residents.

403 6. Social security numbers, driver license numbers, credit
404 card numbers, electronic mailing addresses, telephone numbers,
405 facsimile numbers, emergency contact information, any addresses
406 for a parcel owner other than as provided for association notice
407 requirements, and other personal identifying information of any
408 person, excluding the person's name, parcel designation, mailing
409 address, and property address. Notwithstanding the restrictions
410 in this subparagraph, an association may print and distribute to
411 parcel owners a directory containing the name, parcel address,
412 and all telephone numbers of each parcel owner. However, an
413 owner may exclude his or her telephone numbers from the
414 directory by so requesting in writing to the association. An
415 owner may consent in writing to the disclosure of other contact
416 information described in this subparagraph. The association is
417 not liable for the disclosure of information that is protected
418 under this subparagraph if the information is included in an
419 official record of the association and is voluntarily provided
420 by an owner and not requested by the association.

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

423 8. The software and operating system used by the
424 association which allows the manipulation of data, even if the
425 owner owns a copy of the same software used by the association.

426 The data is part of the official records of the association.

427 9. All affirmative acknowledgments made pursuant to s.
428 720.3085(3)(c)3.

429 ~~(e)(d)~~ The association or its authorized agent is not
430 required to provide a prospective purchaser or lienholder with
431 information about the residential subdivision or the association
432 other than information or documents required by this chapter to
433 be made available or disclosed. The association or its
434 authorized agent may charge a reasonable fee to the prospective
435 purchaser or lienholder or the current parcel owner or member
436 for providing good faith responses to requests for information
437 by or on behalf of a prospective purchaser or lienholder, other
438 than that required by law, if the fee does not exceed \$150 plus
439 the reasonable cost of photocopying and any attorney fees
440 incurred by the association in connection with the response.

441 (f) If an association receives a subpoena for records from
442 a law enforcement agency, the association must provide a copy of
443 such records or otherwise make the records available for
444 inspection and copying to a law enforcement agency within 5
445 business days after receipt of the subpoena, unless otherwise
446 specified by the law enforcement agency or subpoena. An
447 association must assist a law enforcement agency in its
448 investigation to the extent permissible by law.

449 (6) BUDGETS.—

450 (a)1. The association shall prepare an annual budget that

451 sets out the annual operating expenses. The budget must reflect
 452 the estimated revenues and expenses for that year and the
 453 estimated surplus or deficit as of the end of the current year.
 454 The budget must set out separately all fees or charges paid for
 455 by the association for recreational amenities, whether owned by
 456 the association, the developer, or another person. The
 457 association shall provide each member with a copy of the annual
 458 budget or a written notice that a copy of the budget is
 459 available upon request at no charge to the member. The copy must
 460 be provided to the member within the time limits set forth in
 461 subsection (5).

462 2. An association that has 2,500 members or more must use
 463 an independent certified public accountant to prepare the
 464 association's annual budget. Such association must also retain
 465 an attorney to advise the association and its members on
 466 procedural matters relating to the annual budget and to foster
 467 communications between the board and the members of the
 468 association. The independent certified public accountant or
 469 attorney required under this subparagraph may not be:

470 a. The community association manager or an employee of the
 471 community association management firm providing community
 472 association management services to the association; or

473 b. An officer or a director of the association or an
 474 immediate family member of an officer or a director.

475 (d) An association is deemed to have provided for reserve

476 accounts upon the affirmative approval of a majority of the
477 total voting interests of the association. Such approval may be
478 obtained by vote of the members at a duly called meeting of the
479 membership or by the written consent of a majority of the total
480 voting interests of the association. The approval action of the
481 membership must state that reserve accounts shall be provided
482 for in the budget and must designate the components for which
483 the reserve accounts are to be established. Upon approval by the
484 membership, the board of directors or the independent certified
485 public accountant, if required under paragraph (a), shall
486 include the required reserve accounts in the budget in the next
487 fiscal year following the approval and each year thereafter.
488 Once established as provided in this subsection, the reserve
489 accounts must be funded or maintained or have their funding
490 waived in the manner provided in paragraph (f).

491 (f) After one or more reserve accounts are established,
492 the membership of the association, upon a majority vote at a
493 meeting at which a quorum is present, may provide for no
494 reserves or less reserves than required by this section. If a
495 meeting of the parcel ~~unit~~ owners has been called to determine
496 whether to waive or reduce the funding of reserves and such
497 result is not achieved or a quorum is not present, the reserves
498 as included in the budget go into effect. After the turnover,
499 the developer may vote its voting interest to waive or reduce
500 the funding of reserves. Any vote taken pursuant to this

501 subsection to waive or reduce reserves is applicable only to one
 502 budget year.

503 (13) REQUIREMENT TO PROVIDE AN ACCOUNTING.—A parcel owner
 504 or any occupant, licensee, or invitee of the parcel owner may
 505 make a written request to the board for a detailed accounting of
 506 any amounts he or she owes to the association and the board
 507 shall provide such information within 10 business days after
 508 receipt of the written request. After the parcel owner or any
 509 occupant, licensee, or invitee of the parcel owner makes such
 510 written request to the board, he or she may not ask for another
 511 detailed accounting for at least 90 calendar days. Failure by
 512 the board to respond within 10 business days to a written
 513 request for a detailed accounting constitutes a complete waiver
 514 of any outstanding fines of the person who requested such
 515 accounting.

516 Section 4. Subsections (1) and (3) of section 720.3033,
 517 Florida Statutes, are amended to read:

518 720.3033 Officers and directors.—

519 (1)(a) Within 90 days after being elected or appointed to
 520 the board, each director ~~shall certify in writing to the~~
 521 ~~secretary of the association that he or she has read the~~
 522 ~~association's declaration of covenants, articles of~~
 523 ~~incorporation, bylaws, and current written rules and policies;~~
 524 ~~that he or she will work to uphold such documents and policies~~
 525 ~~to the best of his or her ability; and that he or she will~~

526 ~~faithfully discharge his or her fiduciary responsibility to the~~
 527 ~~association's members. Within 90 days after being elected or~~
 528 ~~appointed to the board, in lieu of such written certification,~~
 529 ~~the newly elected or appointed director~~ must ~~may~~ submit a
 530 certificate of having satisfactorily completed the educational
 531 curriculum administered by a department-approved ~~division-~~
 532 ~~approved~~ education provider.

533 1. The newly elected or appointed director must complete
 534 the department-approved education for newly elected or appointed
 535 directors within 90 days after being elected or appointed.

536 2. The certificate of completion is valid for a maximum of
 537 4 years.

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

540 4. The department-approved educational curriculum specific
 541 to newly elected or appointed directors must include training
 542 relating to financial literacy and transparency, recordkeeping,
 543 levying of fines, and notice and meeting requirements.

544 5. In addition to the educational curriculum specific to
 545 newly elected or appointed directors:

546 a. A director of an association that has fewer than 2,500
 547 members must complete at least 4 hours of continuing education
 548 annually.

549 b. A director of an association that has 2,500 members or
 550 more must complete at least 8 hours of continuing education

551 ~~annually within 1 year before or 90 days after the date of~~
552 ~~election or appointment.~~

553 (b) ~~The written certification or educational certificate~~
554 ~~is valid for the uninterrupted tenure of the director on the~~
555 ~~board.~~ A director who does not timely file the ~~written~~
556 ~~certification or educational certificate~~ is ~~shall be~~ suspended
557 from the board until he or she complies with the requirement.
558 The board may temporarily fill the vacancy during the period of
559 suspension.

560 (c) The association shall retain each director's ~~written~~
561 ~~certification or educational certificate~~ for inspection by the
562 members for 5 years after the director's election. However, the
563 failure to have the written certification or educational
564 certificate on file does not affect the validity of any board
565 action.

566 (d) The department shall adopt rules to implement and
567 administer the educational curriculum and continuing education
568 requirements under this subsection.

569 (3) An officer, a director, or a manager may not solicit,
570 offer to accept, ~~or~~ accept, or receive any thing or service of
571 value for which consideration has not been provided for his or
572 her benefit or for the benefit of a member of his or her
573 immediate family from any person providing or proposing to
574 provide goods or services to the association. An officer, a
575 director, or a manager who knowingly solicits, offers to accept,

576 ~~or~~ accepts, or receives any thing or service of value or
 577 kickback that is at least \$25 but not more than \$1,000 for which
 578 consideration has not been provided for his or her own benefit
 579 or that of his or her immediate family from any person providing
 580 or proposing to provide goods or services to the association
 581 commits a misdemeanor of the first degree, punishable as
 582 provided in s. 775.082 or s. 775.083 and is subject to monetary
 583 damages under s. 617.0834. If such thing or kickback is valued
 584 at \$1,000 or more, the officer, director, or manager commits a
 585 felony of the third degree, punishable as provided in s.
 586 775.082, s. 775.083, or s. 775.084 and is subject to monetary
 587 damages under s. 617.0834. If the board finds that an officer or
 588 a director has violated this subsection, the board shall
 589 immediately remove the officer or director from office. The
 590 vacancy shall be filled according to law until the end of the
 591 officer's or director's term of office. However, an officer, a
 592 director, or a manager may accept food to be consumed at a
 593 business meeting with a value of less than \$25 per individual or
 594 a service or good received in connection with trade fairs or
 595 education programs.

596 Section 5. Subsections (1) and (4) of section 720.3035,
 597 Florida Statutes, are amended; and subsection (6) is added to
 598 section 720.3035 to read:

599 720.3035 Architectural control covenants; parcel owner
 600 improvements; rights and privileges.-

601 (1)(a) The authority of an association or any
602 architectural, construction improvement, or other such similar
603 committee of an association to review and approve plans and
604 specifications for the location, size, type, or appearance of
605 any structure or other improvement on a parcel, or to enforce
606 standards for the external appearance of any structure or
607 improvement located on a parcel, shall be permitted only to the
608 extent that the authority is specifically stated or reasonably
609 inferred as to such location, size, type, or appearance in the
610 declaration of covenants or other published guidelines and
611 standards authorized by the declaration of covenants. An
612 association or any architectural, construction improvement, or
613 similar committee of an association must reasonably and
614 equitably apply and enforce on all parcel owners the
615 architectural and construction improvement standards authorized
616 by the declaration of covenants or other published guidelines
617 and standards authorized by the declaration of covenants.

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

621 1. Limits or places requirements on the interior of a
622 structure that is not visible from the parcel's frontage or an
623 adjacent parcel.

624 2. Requires the review and approval of plans and
625 specifications for a central air-conditioning, refrigeration,

626 heating, or ventilating system by the association or any
 627 architectural, construction improvement, or other such similar
 628 committee of an association, if such system is not visible from
 629 the parcel's frontage and is substantially similar to a system
 630 that is approved or recommended by the association or a
 631 committee thereof.

632 (4) (a) Each parcel owner is ~~shall be~~ entitled to the
 633 rights and privileges set forth in the declaration of covenants
 634 or other published guidelines and standards authorized by the
 635 declaration of covenants concerning the architectural use of the
 636 parcel, and the construction of permitted structures and
 637 improvements on the parcel. ~~and~~ Such rights and privileges may
 638 ~~shall~~ not be unreasonably infringed upon or impaired by the
 639 association or any architectural, construction improvement, or
 640 other such similar committee of the association. If the
 641 association or any architectural, construction improvement, or
 642 other such similar committee of the association denies a parcel
 643 owner's request or application for the construction of a
 644 structure or other improvement on a parcel, the association or
 645 committee must provide written notice to the parcel owner
 646 stating with specificity the rule or covenant on which the
 647 association or committee relied when denying the request or
 648 application and the specific aspect or part of the proposed
 649 improvement that does not conform to such rule or covenant.

650 (b) If a parcel owner's rights and privileges have been

651 unreasonably infringed upon or impaired by a decision concerning
652 the architectural use of his or her parcel or the construction
653 of permitted structures and improvements on such parcel by the
654 association or any architectural, construction improvement, or
655 other such similar committee of the association, the association
656 must provide the parcel owner with the ability to appeal such
657 decision to an appeals committee that consists of at least three
658 members appointed by the board who are not officers, directors,
659 or employees of the association or members of the architectural,
660 construction improvement, or other similar committee of the
661 association. The appeals committee has the right to reverse,
662 modify, or affirm the decision being appealed. A parcel owner
663 may appeal a decision of the association or any architectural,
664 construction improvement, or other such similar committee of the
665 association within 90 days after the owner receives written
666 notification of the initial decision. The appeals committee must
667 make a decision on the issue under appeal within 60 days after
668 receiving a parcel owner's request for an appeal.

669 (c) If the association or any architectural, construction
670 improvement, or other such similar committee of the association
671 should unreasonably, knowingly, and willfully infringe upon or
672 impair the rights and privileges set forth in the declaration of
673 covenants or other published guidelines and standards authorized
674 by the declaration of covenants, the adversely affected parcel
675 owner is ~~shall be~~ entitled to recover damages caused by such

676 infringement or impairment, including any costs and reasonable
677 attorney ~~attorney's~~ fees incurred in preserving or restoring the
678 rights and privileges of the parcel owner set forth in the
679 declaration of covenants or other published guidelines and
680 standards authorized by the declaration of covenants.

681 (6) (a) To protect the health, safety, and welfare of the
682 people of the state and to ensure uniformity and consistency in
683 the hurricane protection installed by parcel owners, this
684 subsection applies to all homeowners' associations in the state,
685 regardless of when the community was created. The board or any
686 architectural, construction improvement, or other such similar
687 committee of an association must adopt hurricane protection
688 specifications for each structure or other improvement on a
689 parcel governed by the association. The specifications may
690 include the color and style of hurricane protection products and
691 any other factor deemed relevant by the board. All
692 specifications adopted by the board must comply with the
693 applicable building code.

694 (b) Notwithstanding any other provision in the governing
695 documents of the association, the board or any architectural,
696 construction improvement, or other such similar committee may
697 not deny an application for the installation, enhancement, or
698 replacement of hurricane protection by a parcel owner which
699 conforms to the specifications adopted by the board or
700 committee. The board or committee may require a parcel owner to

701 adhere to an existing unified building scheme regarding the
 702 external appearance of the structure or other improvement on the
 703 parcel.

704 (c) For purposes of this subsection, the term "hurricane
 705 protection" includes, but is not limited to, roof systems
 706 recognized by the Florida Building Code that meet ASCE 7-22
 707 standards, permanent fixed storm shutters, roll-down track storm
 708 shutters, impact-resistant windows and doors, polycarbonate
 709 panels, reinforced garage doors, erosion controls, exterior
 710 fixed generators, fuel storage tanks, and other hurricane
 711 protection products used to preserve and protect the structures
 712 or improvements on a parcel governed by the association.

713 Section 6. Section 720.3045, Florida Statutes, is amended
 714 to read:

715 720.3045 Installation, display, and storage of items.—
 716 Regardless of any covenants, restrictions, bylaws, rules, or
 717 requirements of an association, and unless prohibited by general
 718 law or local ordinance, an association may not restrict parcel
 719 owners or their tenants from installing, displaying, or storing
 720 any items on a parcel which are not visible from the parcel's
 721 frontage or an adjacent parcel, including, but not limited to,
 722 artificial turf, boats, flags, vegetable gardens, clotheslines,
 723 and recreational vehicles.

724 Section 7. Subsection (2) of section 720.305, Florida
 725 Statutes, is amended, and subsections (7) through (10) are added

726 to that section, to read:

727 720.305 Obligations of members; remedies at law or in
728 equity; levy of fines and suspension of use rights.-

729 (2) An association may levy reasonable fines for
730 violations of the declaration, association bylaws, or reasonable
731 rules of the association. A fine may not exceed \$100 per
732 violation against any member or any member's tenant, guest, or
733 invitee for the failure of the owner of the parcel or its
734 occupant, licensee, or invitee to comply with any provision of
735 the declaration, the association bylaws, or reasonable rules of
736 the association unless otherwise provided in the governing
737 documents. A fine may be levied by the board for each day of a
738 continuing violation, with a single notice and opportunity for
739 hearing, except that the fine may not exceed \$1,000 in the
740 aggregate unless otherwise provided in the governing documents.
741 A fine of less than \$1,000 may not become a lien against a
742 parcel. A fine that amounts to less than 1 percent of the
743 parcel's just value as determined by the Property Appraiser in
744 accordance with ch. 193 at the time the fine was levied may only
745 become a lien against the parcel with approval by 75 percent of
746 the total membership of parcel owners, and fines may not be
747 aggregated to create a lien against a parcel. In any action to
748 recover a fine, the prevailing party is entitled to reasonable
749 attorney fees and costs from the nonprevailing party as
750 determined by the court.

751 (a) An association may suspend, for a reasonable period of
 752 time, the right of a member, or a member's tenant, guest, or
 753 invitee, to use common areas and facilities for the failure of
 754 the owner of the parcel or its occupant, licensee, or invitee to
 755 comply with any provision of the declaration, the association
 756 bylaws, or reasonable rules of the association. This paragraph
 757 does not apply to that portion of common areas used to provide
 758 access or utility services to the parcel. A suspension may not
 759 prohibit an owner or tenant of a parcel from having vehicular
 760 and pedestrian ingress to and egress from the parcel, including,
 761 but not limited to, the right to park.

762 (b) A fine or suspension levied by the board of
 763 administration may not be imposed unless the board first
 764 provides at least 14 days' written notice of the parcel owner's
 765 right to a hearing to the parcel owner at his or her designated
 766 mailing or e-mail address in the association's official records
 767 and, if applicable, to any occupant, licensee, or invitee of the
 768 parcel owner, sought to be fined or suspended. ~~Such and a~~
 769 hearing must be held within 30 days after issuance of the notice
 770 before a committee of at least three members appointed by the
 771 board who are not officers, directors, or employees of the
 772 association, or the spouse, parent, child, brother, or sister of
 773 an officer, director, or employee. The committee may hold the
 774 hearing by telephone or other electronic means. The notice must
 775 include a description of the alleged violation; the specific

776 action required to cure such violation, if applicable; and the
777 hearing date, ~~and~~ location, and access information if held by
778 telephone or other electronic means ~~of the hearing~~. A parcel
779 owner has the right to attend a hearing by telephone or other
780 electronic means.

781 (c) If the committee, by majority vote, does not approve a
782 proposed fine or suspension, the proposed fine or suspension may
783 not be imposed. The role of the committee is limited to
784 determining whether to confirm or reject the fine or suspension
785 levied by the board. If the committee, by majority vote,
786 determines that a violation does not exist, no other action may
787 be taken related to the alleged violation.

788 (d) Within 7 days after the hearing, the committee shall
789 provide written notice to the parcel owner at his or her
790 designated mailing or e-mail address in the association's
791 official records and, if applicable, any occupant, licensee, or
792 invitee of the parcel owner, of the committee's findings related
793 to the violation, including any applicable fines or suspensions
794 that the committee approved or rejected, and how the parcel
795 owner or any occupant, licensee, or invitee of the parcel owner
796 may cure the violation, if applicable, or fulfill a suspension,
797 or the date by which a fine must be paid.

798 (e) If a violation is found by the committee, but has been
799 cured before the hearing or in the manner specified in the
800 written notice required in paragraph (b) or paragraph (d), a

801 fine or suspension may not be imposed. Attorney fees and costs
802 may not be awarded against the parcel owner.

803 (f)-(e) If a violation found by the committee is not cured
804 and the proposed fine or suspension levied by the board is
805 approved by the committee by a majority vote, the committee must
806 set a date by which the fine must be paid, which date must be at
807 least 30 days after delivery of the written notice required in
808 paragraph (d). Attorney fees and costs may not be awarded
809 against the parcel owner based on actions taken by the board
810 prior to the date set for the fine to be paid.

811 (g) If a violation is found by the committee and the
812 proposed fine or suspension levied by the board is approved by
813 the committee and the violation is not cured or the fine is not
814 paid per the written notice required in paragraph (d),
815 reasonable attorney fees and costs may be awarded to the
816 association. Attorney fees and costs may not begin to accrue
817 until after the date noticed for payment under paragraph (d) and
818 the time for an appeal has expired.

819 (h) Upon receipt of a payment for any outstanding fines
820 from a parcel owner or any occupant, licensee, or invitee of the
821 parcel owner, the board must apply the payment first to the fine
822 before satisfying any other amounts due to the association.
823 Attorney fees and costs may not continue to accrue after a
824 parcel owner or any occupant, licensee, or invitee of the parcel
825 owner pays the fine.

826 (i) A parcel owner or any occupant, licensee, or invitee
827 of the parcel owner may request a hearing before the board to
828 dispute the reasonableness of the attorney fees and costs
829 awarded to the association.

830 (j) The failure of the association to comply with
831 subsection (2) constitutes a waiver of all fines or suspensions
832 imposed or proposed for a violation.

833 (7) If an association allows a fine to be levied for an
834 infraction relating to lawn, landscaping, or grass maintenance,
835 such fine may not become a lien on a parcel.

836 (8) If an association allows a fine to be levied or a
837 suspension to be imposed against a parcel owner or an occupant,
838 a licensee, a guest, or an invitee of the parcel owner for a
839 traffic infraction, such infraction must be determined and
840 issued by a board-approved nonaffiliated third party
841 specializing in traffic infractions before such fine may be
842 levied or suspension imposed. A fine for a traffic infraction
843 may not become a lien on a parcel. However, a fine may not be
844 imposed against a parcel owner for a speeding violation
845 committed by his or her occupant, licensee, guest, or invitee.
846 For purposes of this paragraph, the term "traffic infraction"
847 means a noncriminal violation of parking and traffic rules
848 adopted by the state, county, municipality, or association.

849 (9) Notwithstanding any provision to the contrary in an
850 association's governing documents, an association may not levy a

851 fine or impose a suspension for any of the following:

852 (a) Leaving garbage receptacles at the curb or end of the
853 driveway within 24 hours before or after the designated garbage
854 collection day or time.

855 (b) Leaving holiday decorations or lights on a structure
856 or other improvement on a parcel longer than indicated in the
857 governing documents, unless such decorations or lights are left
858 up for longer than 1 week after the association provides written
859 notice of the violation to the parcel owner.

860 (10) An association may not enforce a new rule or covenant
861 against a parcel owner for an action that took place before the
862 new rule or covenant was enacted ~~fine payment is due 5 days~~
863 ~~after notice of the approved fine required under paragraph (d)~~
864 ~~is provided to the parcel owner and, if applicable, to any~~
865 ~~occupant, licensee, or invitee of the parcel owner. The~~
866 ~~association must provide written notice of such fine or~~
867 ~~suspension by mail or hand delivery to the parcel owner and, if~~
868 ~~applicable, to any occupant, licensee, or invitee of the parcel~~
869 ~~owner.~~

870 Section 8. Subsection (3) of section 720.3075, Florida
871 Statutes, is amended, and paragraph (c) is added to subsection
872 (4) of that section, to read:

873 720.3075 Prohibited clauses in association documents.—

874 (3) Homeowners' association documents, including
875 declarations of covenants, articles of incorporation, or bylaws,

876 may not preclude:

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

882 (b) A property owner or a tenant, a guest, or an invitee
883 of the property owner from parking his or her personal vehicle,
884 including a pickup truck, in the property owner's driveway, in
885 common parking lots, on public roads and rights-of-way, or in
886 any other area at which the property owner or the property
887 owner's tenant, guest, or invitee has a right to park which is
888 governed by state, county, and municipal regulations; regardless
889 of any official insignia or visible designation, a property
890 owner or a tenant, a guest, or an invitee of the property owner
891 from parking his or her work vehicle, which is not a commercial
892 motor vehicle as defined in s. 320.01(25), in the property
893 owner's driveway.

894 (c) A property owner from inviting, hiring, or allowing
895 entry to a contractor or worker on the owner's parcel solely
896 because the contractor or worker is not on a preferred vendor
897 list of the association. Additionally, homeowners' association
898 documents may not preclude a property owner from inviting,
899 hiring, or allowing entry to a contractor or worker on his or
900 her parcel solely because the contractor or worker does not have

901 a professional or an occupational license. The association may
902 not require a contractor or worker to present or prove
903 possession of a professional or an occupational license to be
904 allowed entry onto a property owner's parcel.

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

909 (e) A property owner from installing code-compliant
910 hurricane protection or home hardening, such as hurricane
911 shutters, impact glass, code-compliant windows or doors, or
912 other similar protection that complies with or exceeds the
913 applicable building code.

914 (f) A property owner from installing a roof system
915 recognized by the Florida Building Code that meet ASCE 7-22
916 standards, artificial turf, vegetable garden, or clotheslines or
917 other energy-efficient device.

918 (4)

919 (c) Homeowners' association documents, including
920 declarations of covenants, articles of incorporation, or bylaws,
921 may not limit landscaping to grass-only or grass-majority lawns,
922 or require mandatory watering for property owners and, if the
923 homeowner choses to water, require watering during the
924 association's designated timeframes. However, the association's
925 documents may generally require that a property owner keep any

926 lawn, landscaping, and grass on the property owner's parcel
 927 well-maintained.

928 Section 9. Subsection (3) of section 720.308, Florida
 929 Statutes, is amended, and subsection (7) is added to that
 930 section, to read:

931 720.308 Assessments and charges.—

932 (3) MAXIMUM LEVEL OF ASSESSMENTS.—

933 (a) The stated dollar amount of the guarantee ~~must shall~~
 934 be an exact dollar amount for each parcel identified in the
 935 declaration. Regardless of the stated dollar amount of the
 936 guarantee, assessments charged to a member ~~may shall~~ not exceed
 937 the maximum obligation of the member based on the total amount
 938 of the adopted budget and the member's proportionate share of
 939 the expenses as described in the governing documents.

940 (b) Notwithstanding more restrictive limitations placed on
 941 the board by the governing documents and paragraph (c), the
 942 board may not impose a regular assessment, excluding an
 943 assessment for the association's insurance policy premium, that
 944 is more than 10 percent greater than the regular assessment for
 945 the association's preceding fiscal year or impose special
 946 assessments that in the aggregate exceed 5 percent of the
 947 budgeted gross expenses of the association for that fiscal year
 948 without the approval of 75 percent of voting members at a member
 949 meeting.

950 (c) The board may increase regular assessments or special

951 assessments beyond the limits in paragraph (b) if such increase
952 is necessary for the immediate physical protection of property
953 or public safety.

954 (d) While the developer is in control, the developer may
955 increase regular assessments or special assessments beyond the
956 limits in paragraph (b).

957 (e) If an association's insurance policy premium increases
958 by more than 25 percent over the preceding fiscal year's
959 premium, the association must solicit at least two additional
960 insurance quotes from an insurer other than the insurer
961 providing the initial quote. The board must present such quotes
962 to the members of the association at a member meeting for the
963 consideration by the members. The determination on whether to
964 accept the initial quote, which was for more than 25 percent of
965 the preceding fiscal year's premium, or accept another quote
966 from another insurer must be voted on by the members and
967 determined by majority vote.

968 (7) LIENS.—An assessment that amounts to less than 1
969 percent of the parcel's just value as determined by the Property
970 Appraiser in accordance with ch. 193 at the time of the
971 assessment may not become a lien against the parcel or the basis
972 of a claim of lien against a parcel without the approval of 75
973 percent of voting members at a member meeting.

974 Section 10. Subsection (1) and paragraph (c) of subsection
975 (3) of section 720.3085, Florida Statutes, are amended to read:

976 720.3085 Payment for assessments; lien claims.—

977 (1) When authorized by the governing documents, the
 978 association has a lien on each parcel to secure the payment of
 979 assessments and other amounts provided for by this section.
 980 Except as otherwise set forth in this section, the lien is
 981 effective from and shall relate back to the date on which the
 982 original declaration of the community was recorded. However, as
 983 to ~~first~~ mortgages of record, the lien is effective from and
 984 after recording of a claim of lien in the public records of the
 985 county in which the parcel is located. ~~This subsection does not~~
 986 ~~bestow upon any lien, mortgage, or certified judgment of record~~
 987 ~~on July 1, 2008, including the lien for unpaid assessments~~
 988 ~~created in this section, a priority that, by law, the lien,~~
 989 ~~mortgage, or judgment did not have before July 1, 2008.~~

990 (a) To be valid, a claim of lien must state the
 991 description of the parcel, the name of the record owner, the
 992 name and address of the association, the assessment amount due,
 993 and the due date. The claim of lien secures all unpaid
 994 assessments that are due and that may accrue subsequent to the
 995 recording of the claim of lien and before entry of a certificate
 996 of title, as well as interest, late charges, and reasonable
 997 costs and attorney fees incurred by the association incident to
 998 the collection process. The person making payment is entitled to
 999 a satisfaction of the lien upon payment in full.

1000 (b) By recording a notice in substantially the following

1001 form, a parcel owner or the parcel owner's agent or attorney may
 1002 require the association to enforce a recorded claim of lien
 1003 against his or her parcel:

1004

1005 NOTICE OF CONTEST OF LIEN

1006 TO: ... (Name and address of association)...

1007 You are notified that the undersigned contests the
 1008 claim of lien filed by you on, ... (year) ..., and
 1009 recorded in Official Records Book at page,
 1010 of the public records of County, Florida, and
 1011 that the time within which you may file suit to
 1012 enforce your lien is limited to 90 days following the
 1013 date of service of this notice. Executed this day
 1014 of, ... (year)

1015 Signed: ... (Owner or Attorney)...

1016

1017 After the notice of a contest of lien has been recorded, the
 1018 clerk of the circuit court shall mail a copy of the recorded
 1019 notice to the association by certified mail, return receipt
 1020 requested, at the address shown in the claim of lien or the most
 1021 recent amendment to it and shall certify to the service on the
 1022 face of the notice. Service is complete upon mailing. After
 1023 service, the association has 90 days in which to file an action
 1024 to enforce the lien and, if the action is not filed within the
 1025 90-day period, the lien is void. However, the 90-day period

1026 shall be extended for any length of time that the association is
 1027 prevented from filing its action because of an automatic stay
 1028 resulting from the filing of a bankruptcy petition by the parcel
 1029 owner or by any other person claiming an interest in the parcel.

1030 (c) The association may bring an action in its name to
 1031 foreclose a lien for assessments in the same manner in which a
 1032 mortgage of real property is foreclosed and may also bring an
 1033 action to recover a money judgment for the unpaid assessments
 1034 without waiving any claim of lien. The association is entitled
 1035 to recover its reasonable attorney's fees incurred in an action
 1036 to foreclose a lien or an action to recover a money judgment for
 1037 unpaid assessments.

1038 (d) A release of lien must be in substantially the
 1039 following form:

1041 RELEASE OF LIEN

1042 The undersigned lienor, in consideration of the final
 1043 payment in the amount of \$...., hereby waives and
 1044 releases its lien and right to claim a lien for unpaid
 1045 assessments through, ...(year)..., recorded in
 1046 the Official Records Book at Page, of the
 1047 public records of County, Florida, for the
 1048 following described real property:

1049 (PARCEL NO. OR LOT AND BLOCK) OF ...(subdivision
 1050 name)... SUBDIVISION AS SHOWN IN THE PLAT THEREOF,

1051 RECORDED AT PLAT BOOK , PAGE , OF THE OFFICIAL
 1052 RECORDS OF COUNTY, FLORIDA.
 1053 . . . (or insert appropriate metes and bounds description
 1054 here) . . .
 1055 . . . (Signature of Authorized Agent) (Signature of
 1056 Witness) . . .
 1057 . . . (Print Name) (Print Name) . . .
 1058 . . . (Signature of Witness) . . .
 1059 . . . (Print Name) . . .
 1060 Sworn to (or affirmed) and subscribed before me this
 1061 day of , . . . (year) . . . , by . . . (name of person
 1062 making statement)
 1063 . . . (Signature of Notary Public) . . .
 1064 . . . (Print, type, or stamp commissioned name of Notary
 1065 Public) . . .
 1066 Personally Known OR Produced as
 1067 identification.
 1068
 1069 (e) If the parcel owner remains in possession of the
 1070 parcel after a foreclosure judgment has been entered, the court
 1071 may require the parcel owner to pay a reasonable rent for the
 1072 parcel. If the parcel is rented or leased during the pendency of
 1073 the foreclosure action, the association is entitled to the
 1074 appointment of a receiver to collect the rent. The expenses of
 1075 the receiver must be paid by the party who does not prevail in

1076 the foreclosure action.

1077 (f) The association may purchase the parcel at the
 1078 foreclosure sale and hold, lease, mortgage, or convey the
 1079 parcel.

1080 (3) Assessments and installments on assessments that are
 1081 not paid when due bear interest from the due date until paid at
 1082 the rate provided in the declaration of covenants or the bylaws
 1083 of the association, which rate may not exceed the rate allowed
 1084 by law. If no rate is provided in the declaration or bylaws,
 1085 interest accrues at the rate of 18 percent per year.

1086 (c)1. If an association sends out an invoice for
 1087 assessments or a parcel's statement of the account described in
 1088 s. 720.303(4)(a)10.b. ~~s. 720.303(4)(j)2.~~, the invoice for
 1089 assessments or the parcel's statement of account must be
 1090 delivered to the parcel owner by first-class United States mail
 1091 or by electronic transmission to the parcel owner's e-mail
 1092 address maintained in the association's official records.

1093 2. Before changing the method of delivery for an invoice
 1094 for assessments or the statement of the account, the association
 1095 must deliver a written notice of such change to each parcel
 1096 owner. The written notice must be delivered to the parcel owner
 1097 at least 30 days before the association sends the invoice for
 1098 assessments or the statement of the account by the new delivery
 1099 method. The notice must be sent by first-class United States
 1100 mail to the owner at his or her last address as reflected in the

1101 association's records and, if such address is not the parcel
 1102 address, must be sent by first-class United States mail to the
 1103 parcel address. Notice is deemed to have been delivered upon
 1104 mailing as required by this subparagraph.

1105 3. A parcel owner must affirmatively acknowledge his or
 1106 her understanding that the association will change its method of
 1107 delivery of the invoice for assessments or the statement of the
 1108 account before the association may change the method of
 1109 delivering an invoice for assessments or the statement of
 1110 account. The parcel owner may make the affirmative
 1111 acknowledgment electronically or in writing.

1112 Section 11. Section 720.318, Florida Statutes, is amended
 1113 to read:

1114 720.318 ~~Law enforcement~~ First responder vehicles.—An
 1115 association may not prohibit a first responder ~~law enforcement~~
 1116 ~~officer~~, as defined in s. 112.1815(1) ~~943.10(1)~~, who is a parcel
 1117 owner, or who is a tenant, guest, or invitee of a parcel owner,
 1118 from parking his or her assigned first responder ~~law enforcement~~
 1119 vehicle in an area where the parcel owner, or the tenant, guest,
 1120 or invitee of the parcel owner, otherwise has a right to park,
 1121 including on public roads or rights-of-way.

1122 Section 12. This act shall take effect July 1, 2024.