

# 2024 HOMEOWNERS ASSOCIATION LEGISLATIVE UPDATE

PRESENTED BY:



FEATURED SPEAKER:

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# I. CHAPTER 2024-221, LAWS OF FLORIDA (CS/CS/HB 1203)

## Section 468.4334, Florida Statutes – New CAM Requirements

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

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

(b) Provide to the members of the homeowners' association the name and contact information for each community association manager or representative of a community association management firm assigned to the homeowners' association, the manager's or representative's hours of availability, and a summary of the duties for which the manager or representative is responsible. The homeowners' association shall also post this information on the association's website or application required under s. 720.303(4)(b). The community association manager or community association management firm shall update the homeowners' association and its members within 14 business days after any change to such information.

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

## Section 468.4334, Florida Statutes – CAM Educational Requirements

The council may not require more than 10 hours of continuing education annually for renewal of a license. A community association manager who provides community association management services to a homeowners' association must biennially complete at least 5 hours of continuing education that pertains specifically to homeowners' associations, 3 hours of which must relate to recordkeeping.

## Section 720.303(1), Florida Statutes – General Standards for Directors

The officers and directors of an association are subject to s. 617.0830 and have a fiduciary relationship to the members who are served by the association.

**617.0830 General standards for directors.—**

(1) *A director shall discharge his or her duties as a director, including his or her duties as a member of a committee:*

(a) *In good faith;*

(b) *With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and*

(c) *In a manner he or she reasonably believes to be in the best interests of the corporation.*

(2) *In discharging his or her duties, a director may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:*

(a) *One or more officers or employees of the corporation whom the director reasonably believes to be reliable and competent in the matters presented;*

(b) *Legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the persons' professional or expert competence; or*

(c) *A committee of the board of directors of which he or she is not a member if the director reasonably believes the committee merits confidence.*

(3) *A director is not acting in good faith if he or she has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (2) unwarranted.*

(4) *A director is not liable for any action taken as a director, or any failure to take any action, if he or she performed the duties of his or her office in compliance with this section.*

## Section 720.303(4), Florida Statutes – Official Records & Websites

### (4) OFFICIAL RECORDS.—

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

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

- a. The articles of incorporation of the association and each amendment thereto.
  - b. The recorded bylaws of the association and each amendment thereto.
  - c. The declaration of covenants and a copy of each amendment thereto.
  - d. The current rules of the association.
  - e. A list of all current executory contracts or documents to which the association is a party or under which the association or the parcel owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year.
  - f. The annual budget required by subsection (6) and any proposed budget to be considered at the annual meeting.
  - g. The financial report required by subsection (7) and any monthly income or expense statement to be considered at a meeting.
  - h. The association's current insurance policies.
  - i. The certification of each director as required by s. 720.3033(1)(a).
  - j. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated homeowners' association or any other entity in which a director of an association is also a director or an officer and has a financial interest.
  - k. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 720.3033(2).
  - l. Notice of any scheduled meeting of members and the agenda for the meeting, as required by s. 720.306, at least 14 days before such meeting. The notice must be posted in plain view on the homepage of the website or application, or on a separate subpage of the website or application labeled "Notices" which is conspicuously visible and linked from the homepage. The association shall also post on its website or application any document to be considered and voted on by the members during the meeting or any document listed on the meeting agenda at least 7 days before the meeting at which such document or information within the document will be considered.
  - m. Notice of any board meeting, the agenda, and any other document required for such meeting as required by subsection (3), which must be posted on the website or application no later than the date required for notice under subsection (3).
2. The association's website or application must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to parcel owners and employees of the association.
  3. Upon written request by a parcel owner, the association must provide the parcel owner with a username and password and access to the protected sections of the association's website or application which contains the official documents of the association.
  4. The association shall ensure that the information and records described in paragraph (5)(g), which are not allowed to be accessible to parcel owners, are not posted on the association's website or application. If protected information or information restricted from being accessible to parcel owners is included in documents that are required to be posted on

the association's website or application, the association must ensure the information is redacted before posting the documents. Notwithstanding the foregoing, the association or its authorized agent is not liable for disclosing information that is protected or restricted under paragraph (5)(g) unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

(c) **The association shall adopt written rules** governing the method or policy by which the official records of the association are to be retained and the time period such records must be retained pursuant to paragraph (a). Such information must be made available to the parcel owners through the association's website or application.

(5) **INSPECTION AND COPYING OF RECORDS. –**

(a) The law was also amended to provide that unless other provided by law or the governing documents, the official records must be maintained in the state for at least 7 years and be made available to the owner for inspection and copying within 45 miles of the community or within the county.

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

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

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

(f) Any person who willfully and knowingly refuses to release or otherwise produce association records with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

(7) **FINANCIAL REPORTING.**

(5) An association with at least 1,000 parcels shall prepare audited financial statements, notwithstanding the association's total annual revenues.

**An association may not prepare a financial statement pursuant to this paragraph [d] for consecutive fiscal years.**

(13) **DEBIT CARDS.—**

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

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

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

(14) **REQUIREMENT TO PROVIDE AN ACCOUNTING.—**A parcel owner may make a written request to the board for a detailed accounting of any amounts he or she owes to the association related to the parcel, and the board shall

provide such information within 15 business days after receipt of the written request. After a parcel owner makes such written request to the board, he or she may not request another detailed accounting for at least 90 calendar days. Failure by the board to respond within 15 business days to a written request for a detailed accounting constitutes a complete waiver of any outstanding fines of the person who requested such accounting which are more than 30 days past due and for which the association has not given prior written notice of the imposition of the fines.

### **Section 720.3033, Florida Statutes – New Director Educational Requirements**

(1)(a) Within 90 days after being elected or appointed to the board, each director ~~must~~ may submit a certificate of having satisfactorily completed the educational curriculum administered by a department-approved education provider.

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

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

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

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

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

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

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

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

Section 720.3033(4)(a), Florida Statutes was also revised to provide that a director or an officer charged by information or indictment with any of the following crimes must be removed from office and a vacancy declared:

5. Any criminal violation under this chapter.

### **Section 720.3035, Florida Statutes – Architectural Control Covenants**

(1)(a)... An association or any architectural, construction improvement, or similar committee of an association must reasonably and equitably apply and enforce on all parcel owners the architectural and construction improvement standards authorized by the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants.

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

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

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

(4) ...If the association or any architectural, construction improvement, or other such similar committee of the association denies a parcel owner's request or application for the construction of a structure or other improvement on a parcel, the association or committee must provide written notice to the parcel owner stating with specificity the rule or covenant on which the association or committee relied when denying the request or application and the specific aspect or part of the proposed improvement that does not conform to such rule or covenant.

### **Section 720.3045, Florida Statutes – Installation, Display and Storage of Items.**

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

### **Section 720.305, Florida Statutes – Levy of Fines**

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

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

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

(f) If a violation is not cured and the proposed fine or suspension levied by the board is approved by the committee by a majority vote, the committee must set a date by which the fine must be paid, which date must be at least 30 days after delivery of the written notice required in paragraph (d).



Attorney fees and costs may not be awarded against the parcel owner based on actions taken by the board before the date set for the fine to be paid.

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

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

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

(b) Leaving holiday decorations or lights on a structure or other improvement on a parcel longer than indicated in the governing documents, unless such decorations or lights are left up for longer than 1 week after the association provides written notice of the violation to the parcel owner ~~fine payment is due 5 days after notice of the approved fine required under paragraph (d) is provided to the parcel owner and, if applicable, to any occupant, licensee, or invitee of the parcel owner. The association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any occupant, licensee, or invitee of the parcel owner.~~

### **Section 720.3065, Florida Statutes – Fraudulent Voting Activities**

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

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

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

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

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

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

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

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

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

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

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

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

## Section 720.3075, Florida Statutes – Prohibited Clauses in Association Documents

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

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

(c) A property owner from inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the association. Additionally, homeowners' association documents may not preclude a property owner from inviting, hiring, or allowing entry to a contractor or worker on his or her parcel solely because the contractor or worker does not have a professional or an occupational license. The association may not require a contractor or worker to present or prove possession of a professional or an occupational license to be allowed entry onto a property owner's parcel.

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

## Section 320.01(25), Florida Statutes – Commercial Motor Vehicle Definition

(25) **“Commercial motor vehicle”** means any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and **which has a gross vehicle weight of 26,001 pounds or more, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,001 pounds gross vehicle weight.** A vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. 549.09(1)(a), is not a commercial motor vehicle if the use is not for profit and corporate sponsorship is not involved. As used in this subsection, the term “corporate sponsorship” means a payment, donation, gratuity, in-kind service, or other benefit provided to or derived by a person in relation to the underlying activity, other than the display of product or corporate names, logos, or other graphic information on the property being transported.

<b>Class 1 - 6,000 lbs &amp; Less</b> Minivan, Cargo Van, SUV, Pickup Truck
<b>Class 2 - 6,001 to 10,000 lbs</b> Minivan, Cargo Van, Full-Size Pickup, Step Van
<b>Class 3 - 10,001 to 14,000 lbs</b> Walk-in, Box Truck, City Delivery, Heavy-Duty Pickup
<b>Class 4 - 14,001 to 16,000 lbs</b> Large Walk-in, Box Truck, City Delivery
<b>Class 5 - 16,001 to 19,500 lbs</b> Bucket Truck, Large Walk-in, City Delivery
<b>Class 6 - 19,501 to 26,000 lbs</b> Beverage Truck, Single-Axle, School Bus, Rack Truck
<b>Class 7 - 26,001 to 33,000 lbs</b> Refuse, Furniture, City Transit Bus, Truck Tractor
<b>Class 8 - 33,001 lbs &amp; Over</b> Cement Truck, Truck Tractor, Dump Truck, Sleeper

## Section 720.3085, Florida Statutes – Compound Interest Prohibited

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

## Section 720.317, Florida Statutes – Electronic Voting

The statute was amended so that a member may consent to electronic voting either in writing or electronically.



### Section 720.318, Florida Statutes – First Responder Vehicles

An association may not prohibit a first responder law enforcement officer, as defined in s. 112.1815(1) ~~s. 943.10(1)~~, who is a parcel owner, or who is a tenant, guest, or invitee of a parcel owner, from parking his or her assigned first responder law enforcement vehicle in an area where the parcel owner, or the tenant, guest, or invitee of the parcel owner, otherwise has a right to park, including on public roads or rights-of-way. [*law enforcement officer, firefighter, emergency medical technician or paramedic employed by the government*]

This act shall take effect July 1, 2024.

## II. CHAPTER 2024-205, LAWS OF FLORIDA (CS/HB 293)

### Section 720.3035, Florida Statutes – Hurricane Protection Installed by HOA Parcel Owners

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

(b) Notwithstanding any other provision in the governing documents of the association, the board or any architectural, construction improvement, or other such similar committee may not deny an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner which conforms to the specifications adopted by the board or committee. The board or committee may require a parcel owner to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel.

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

Section 2. This act shall take effect upon becoming a law.

## III. CHAPTER 2024-202, LAWS OF FLORIDA (HB 59)

### Section 720.303, Florida Statutes – Requirement to Provide Copies of Rules and Covenants

#### (13) REQUIREMENT TO PROVIDE COPIES OF RULES AND COVENANTS.—

(a) Before October 1, 2024, an association shall provide a physical or digital copy of the association's rules and covenants to every member of the association.

(b) An association shall provide a physical or digital copy of the association's rules and covenants to every new member of the association.

(c) If an association's rules or covenants are amended, the association must provide every member of the association with an updated copy of the amended rules or covenants. An association may adopt rules

establishing standards for the manner of distribution and timeframe for providing copies of updated rules or covenants.

(d) The requirements of this subsection may be met by posting a complete copy of the association's rules and covenants, or a direct link thereto, on the homepage of the association's website if such website is accessible to the members of the association and the association sends notice to each member of the association of its intent to utilize the website for this purpose. Such notice must be sent in both of the following ways:

1. By electronic mail to any member of the association who has consented to receive notices by electronic transmission and provided an electronic mailing address to the association for that purpose.
2. By mail to all other members of the association at the address identified as the member's mailing address in the official records of the association.

This act shall take effect July 1, 2024.

#### **IV. CHAPTER 2024-186, LAWS OF FLORIDA (HB 1645)**

##### **Section 720.303, Florida Statutes – Requirement to Provide Copies of Rules and Covenants**

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

(b) Types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers within the association that such entities are authorized to serve:

1. A public utility or an electric utility as defined in s. 366.02;
2. An entity formed under s. 163.01 that generates, sells, or transmits electrical energy;
3. A natural gas utility as defined in s. 366.04(3)(c);
4. A natural gas transmission company as defined in s. 368.103; or
5. A Category I liquefied petroleum gas dealer, a Category II liquefied petroleum gas dispenser, or a Category III liquefied petroleum gas cylinder exchange operator as defined in s. 527.01.

(c) The use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in paragraph (b). As used in this paragraph, the term "appliance" means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

This act shall take effect on July 1, 2024.

#### **V. CHAPTER 2024-\_\_\_, LAWS OF FLORIDA (CS/CS SB 1420)**

##### **Section 720.406, Florida Statutes –Department of Commerce**

(1) Within No later than 60 days after obtaining valid written consent from a majority of the affected parcel owners, or within 60 days after the date the proposed revived declaration and other governing documents are approved by the affected parcel owners by vote at a meeting, the organizing committee or its designee must submit the proposed revived governing documents and supporting materials to the Department of Commerce

~~Economic Opportunity~~ to review and determine whether to approve or disapprove of the proposal to preserve the residential community.

This act shall take effect on July 1, 2024.

## **VI. CHAPTER 2024-6, LAWS OF FLORIDA (SB 82)**

### **Sections 720.403, 720.405, 720.406, Florida Statutes – Department of Commerce**

The new law changes the references in Sections 720.403, 720.404, 720.406, Florida Statutes from the Department of Economic Opportunity to the Department of Commerce.

## **VII. CHAPTER 2024-44, LAWS OF FLORIDA (CS/CS HB 621)**

### **Section 82.036, Florida Statutes – Limited Alternative Remedy to Remove Unauthorized Persons from Residential Real Property**

This new law creates a statutory basis and procedure to exclude and remove unauthorized persons from residential real property. The new law also creates a form statutory complaint to remove such persons if they are unlawfully occupying residential real property.

## **VIII. CHAPTER 2024-\_\_\_\_, LAWS OF FLORIDA (CS SB 280)**

### **Sections 212.03, 82.036, 509.013, 509.032, 509.241, 509.243, 509.244, 509.261, Florida Statutes –Vacation Rentals and Advertising Platforms**

Section 21. The application of this act does not supersede any current or future declaration or declaration of condominium adopted pursuant to chapter 718, Florida Statutes; any cooperative document adopted pursuant to chapter 719, Florida Statutes; or any declaration or declaration of covenant adopted pursuant to chapter 720, Florida Statutes.

## **NOTES:**

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