

2015 Legislative Update

Senate Bill 1172/House Bill 643 **RELATING TO CONDOMINIUMS**

Provides and revises procedures and requirements for termination of condominium property; provides requirements for rejection of plan of termination; provides requirements relating to partial termination of condominium property; revises requirements relating to right to contest plan of termination.

Effective Date: July 1, 2015

House Bill 453/Senate Bill 932 **RELATING TO TIMESHARES**

Revises provisions relating to timeshares, including amendments made to timeshare instrument, public offering statements, release of certain escrow funds, written advertising materials, real estate licensure requirements, fee requirements, multisite timeshare plans, substitutions and deletions of component site accommodations or facilities.

Effective Date: July 1, 2015

House Bill 791/Senate Bill 748 **RELATING TO RESIDENTIAL PROPERTIES**

Condominium Associations

Provides that certain deed, transfer, or conveyance from owner of property is subject to certain taxes; authorizes use of copy, facsimile transmission, or other reliable reproduction of original proxy vote for certain purposes; revises & provides provisions relating to condominiums, including liability, official records of association, board of administration & unit owner meetings, voting process for providing reserves, liability of unit owners & mortgagees, claim of liens, bulk-unit purchasers, fines & suspensions; repeals provisions relating to Distressed Condominium Relief Act; revises & provides provisions relating to cooperatives, including official records of association, board of administration & shareholder meetings, applicability, claim of liens, fines & suspensions; revises & provides provisions relating to homeowners' associations, including fines & suspensions, application, adoption of amendments to governing documents, & election of directors.

Provides that any copy, facsimile, or other reliable reproduction of the original proxy may be substituted & used in lieu of the original proxy if the reproduction is complete of the entire proxy; providing that the association may recover from the unit owner or parcel owner a reasonable charge imposed by a management or bookkeeping company, or collection agent, incurred in connection with a delinquent assessment.

Effective Date: July 1, 2015

House Bill 71 **RELATING TO SERVICE ANIMALS**

Requires public accommodation to permit use of service animal by individual with disability; provides conditions for public accommodation to exclude or remove service animal; revises penalties for certain persons or entities who interfere with use of service animal; provides

penalty for knowing and willful misrepresentation with respect to use or training of service animal.

Effective Date: July 1, 2015

House Bill 87

RELATING TO CONSTRUCTION DEFECT CLAIMS

Revises definition of term "completion of building or improvement"; provides additional requirements for notice of claim; revises requirements for response; revises provisions relating to production of certain records.

Effective Date: October 1, 2015

House Bill 165

RELATING TO PROPERTY AND CASUALTY INSURANCE

Restricting to certain property rate filings a requirement that the chief executive officer or chief financial officer and chief actuary of a property insurer certify the information contained in a rate filing; requiring an insurer to employ in certain rate filings actuarial methods, principles, standards, models, or output ranges found by the Florida Commission on Hurricane Loss Projection Methodology to be accurate or reliable in determining probable maximum loss levels, etc.

Effective Date: July 1, 2015

House Bill 307

RELATING TO MOBILE HOMES

Requires Division of Florida Condominiums, Timeshares, & Mobile Homes to approve training & educational programs for board members of mobile home owners associations; provides requirements for education curriculum information for board member & mobile home owner training; revises mobile home owner's general obligations; provides & revises requirements for lot rental increases; revises provisions relating to rights of purchasers of lifetime leases; provides for removal of member of board of directors; revises quorum & voting requirements; revises provisions relating to board of directors, committee, & member meetings; revises requirements for amendment of articles of incorporation & bylaws; revises requirements for recall of board members; provides requirements for alternative resolution of recall disputes; specifies certification or educational requirements for newly elected or appointed board member; revises & provides requirements relating to official records of association.

Effective Date: July 1, 2015

House Bill 643

RELATING TO TERMINATION OF A CONDOMINIUM ASSOCIATION

Provides and revises procedures and requirements for termination of condominium property; provides requirements for rejection of, and objection to, plan of termination; provides applicability; provides and revises requirements relating to partial termination of condominium property; authorizes plan of termination to be withdrawn, modified, or amended under certain conditions; revises and provides requirements relating to allocation of proceeds of sale of condominium property; revises requirements relating to right to contest plan of termination.

Effective Date: June 16, 2015

House Bill 715

RELATING TO ELIGIBILITY FOR COVERAGE BY CITIZENS PROPERTY INSURANCE CORPORATION

Removes provision that prohibited certain improvements to major structures from being eligible for Citizens Property Insurance coverage; revises provisions regarding coverage for major structures that have undergone specified changes after a date certain.

Effective Date: July 1, 2015

House Bill 779

RELATING TO RENTAL AGREEMENTS

Provides that purchaser taking title to tenant-occupied residential property following foreclosure sale takes title to property subject to rights of tenant; specifies rights of tenant; authorizes tenant to remain in possession of property for 30-days following receipt of written notice; prescribing form for 30-day notice of termination; establishing requirements for delivery of notice; authorizes purchaser to apply for writ of possession if tenant refuses to vacate property; provides exceptions; provides for construction.

Effective Date: June 2, 2015

Senate Bill 1094

RELATING TO FLOOD INSURANCE

Specifying requirements for the coastal management element required for a local government comprehensive plan; requiring a surveyor and mapper to submit a copy of each elevation certificate that he or she completes to the Division of Emergency Management within a specified period beginning on a specified date; authorizing the redaction of certain personal information from the copy; deleting a provision that prohibits supplemental flood insurance from including excess coverage over any other insurance covering the peril of flood, etc.

Effective Date: July 1, 2015