

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 2084 Condominiums by Senator Villalobos

Requires official records of the association to be maintained for at least 5 years and to be made available at a location within the county in which the condominium property is located. Provides that any officer, director, or manager who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is personally subject to civil and criminal sanctions. Provides that official records be open to inspection by association members or their representatives at all reasonable times.

Prohibits accessibility to personal identifying information, including but not limited to, social security numbers and driver's license numbers of unit owners, occupants, or tenants by fellow unit owners.

Restricts a condominium association or board of administration from waiving the financial reporting requirements for more than 2 years.

Changes the election of board members. Prohibits votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose.

Provides that at meetings of the board of administration any item not included on the notice may be taken up on an emergency basis by at least a majority plus one of the members of the board or by a petition of 20 percent of the unit owners. Provides requirements for the location of annual unit owner meetings.

Requires the association to prepare an annual budget of estimated revenues and expenses. Requires a vote to provide for no reserves or a percentage of reserves to be made at the annual meeting of the unit owners. Authorizes the association, after a turnover of control of the association, to use reserve funds for nonscheduled purposes in a catastrophic event, to mitigate further damage to units or common elements or to make the condominium accessible for repairs.

Requires the board to have the condominium buildings inspected by a professional engineer or professional architect registered in the state every five years for the purpose of determining whether the buildings are

structurally and electrically safe and determining any immediate maintenance required, as well as long-term maintenance.

Prohibits the board from adopting rules or regulations impairing the rights guaranteed by the First Amendment to the Constitution of the United States or s. 3, Art. I of the Florida Constitution, which includes but is not limited to, the free exercise of religion. Provides that a rule or regulation may not prohibit any reasonable accommodation for religious practices, including the attachment of religiously mandated objects to the front-door area of a condominium unit.

Prohibits strategic lawsuits against public participation, or SLAPP suits, against unit owners. Provides that governmental entities, business organizations, and individuals are prohibited from filing or causing to be filed through its employees or agents, any lawsuit, cause of action, claim, cross-claim, or counterclaim against a condominium unit owner without merit, and solely because such condominium unit owner has exercised the right to petition for redress of grievances on matters relating to the condominium association. Prohibits associations from expending association funds in prosecuting "SLAPP" suits against a unit owner. (See bill for details)