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Legislative Update--Week 4 of Session and Preview of Week 5--CALL Alert for March 30, 201

The week of Easter and Passover are typically "slow" weeks at the Capitol, but with Good Friday and Passover on the same date this year, the Legislature has a full week of committee meetings and floor sessions. Here are the highlights from last week, and a preview of this week.

HB 611 (Rep. Woods)/SB 736 (Sen. Stargel): These are the "estoppel certificate" bills. The bills significantly change the procedures for requesting and delivering estoppel certificates whenever property is sold in a community. CALL (Community Association Leadership Lobby) is opposed to the bills. Click [here](#) to read my blog post regarding the bills and the reasons we are opposed. The bills were dealt a severe blow last week when the Senate version, SB 736, was "temporarily passed" by the Senate Regulated Industries Committee. The House version, HB 611, was approved in its second committee of reference. However, there were four "no" votes. Thanks to Rep. Fitzenhagen, Rep. Geller, Rep. Rouson, and Rep. Rader for voting "no" on this bill. SB 736 is on the Senate Regulated Industries agenda for Tuesday, March 31 at 1:30 p.m. Please contact the members of Senate Regulated



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Industries Committee and urge them to vote "No" on SB 736. The easiest way to contact the members of the committee is through Legislator Connect on the CALL website: www.callbp.com. You will need your password to log into the website, and the password is the same as your association's matter number. If you do not know your matter number, please contact CALL Administrator Diana Zayas-Bazan at call@bplegal.com or 1-844-435-2255. Or, here are two other options for emailing the members of the Senate Regulated Industries Committee:

(1) Copy and paste the following emails into the "TO" section of your email:

abruzzo.joseph@flsenate.gov;
bean.aaron@flsenate.gov;
bradley.rob@flsenate.gov;
braynon.oscar@flsenate.gov;
portilla.miquel@flsenate.gov;
flores.anitere@flsenate.gov;
latvala.jack@flsenate.gov;
margolis.qwen@flsenate.gov;
negron.joe@flsenate.gov;
richter.garrett@flsenate.gov;
sachs.maria@flsenate.gov;
stargel.kelli@flsenate.gov

(2) Email the members individually as follows:

Senator Joseph
Abruzzo: abruzzo.joseph@flsenate.gov
Senator Aaron
Bean: bean.aaron@flsenate.gov
Senator Rob
Bradley: bradley.rob@flsenate.gov
Senator Oscar
Braynon: braynon.oscar@flsenate.gov
Senator Miguel Diaz de la
Portilla: portilla.miquel@flsenate.gov
Senator Anitere
Flores: flores.anitere@flsenate.gov
Senator Jack Latvala
(J): latvala.jack@flsenate.gov
Senator Gwen
Margolis: margolis.qwen@flsenate.gov
Senator Joe

Negron: negron.joe@flsenate.gov

Senator Garrett

Richter: richter.garrett@flsenate.gov

Senator Maria Lorts

Sachs: sachs.maria@flsenate.gov

Senator Kelli

Stargel: stargel.kelli@flsenate.gov

SB 748 (Sen. Ring)/HB 791 (Rep.

Moraitis): HB 791 will be heard in its second committee of reference, Finance & Tax, on Tuesday, March 31 at 3:00. HB 791 is the main community association bill this year and includes initiatives from CALL, CAI-FLA, and the Florida Bar. The reason HB 791 is being heard in Finance & Tax is that it has a fiscal impact on state revenues. One of the provisions in the bill provides that if an association takes a deed in lieu of foreclosure, it is responsible for documentary stamps on the unpaid assessment. The current law requires the association to pay documentary stamps on the fair market value. The change in the law would be a savings to associations. The fiscal impact on the state will be considered by the Finance & Tax committee.

HB 1211 (Rep. Fitzenhagen): HB 1211 was approved in its second committee of reference, Business and Professions Subcommittee. It allows an association to conduct elections by electronic voting if the bylaws allow and if certain requirements are met, including the ability to permanently separate any authentication or identifying information from the electronic ballot, rendering it impossible to tie a ballot to a specific member. The Senate companion is SB 870, which has not been heard in any committees. However, the electronic voting language has been added to SB 748 by Sen. Ring.

HB 643 (Rep. Sprowls)/SB 1172 (Sen. Latvala): This is the "condominium termination" bill that changes the voting requirements and procedures for optional termination of condominiums. One of the changes proposed is that optional termination cannot be used until 7 years

after the recording of a declaration of condominium. Also, dissenting owners would be entitled to 110% of the purchase price, or 110% of the fair market value, whichever is greater. HB 643 was approved in its second committee of reference, Business and Professions Subcommittee. The Senate companion bill SB 1172, by Sen. Latvala, was approved in its first committee, Regulated Industries.

HB 4021 (Rep. Steube)/SB 796 (Sen. Evers): HB 4021 was not heard last week, but the Senate companion bill, SB 796, will be heard in its first committee of reference, Regulated Industries, on Tuesday, March 31 at 1:30 p.m. The bill amends the financial reporting requirement for condominiums, cooperatives and homeowners' associations. Currently, the law provides that associations that operate fewer than 50 units are permitted to have prepared a report of cash receipts and expenditures, regardless of the amount of the association's annual revenues. The bill removes this language and would require all associations, regardless of size, to prepare the financial report based on the association's annual revenues.

HB 71 (Rep. Smith)/SB 414 (Sen. Altman): HB 71 was approved by the full House of Representatives last week by a vote of 112-0. The bill deals only with "service animals" and not "emotional support animals." The bill, among other things, provides that a person who knowingly and fraudulently represents himself or herself through conduct or verbal or written notice as requiring the need for a service animal or as being the trainer of a service animal is guilty of a misdemeanor in the second degree punishable in the same manner as other second degree misdemeanors, and requiring the performance of 30 hours of community service, to be completed in not more than 6 months. The Senate companion bill, SB 414, will be considered in Senate Commerce and Tourism on Monday, March 30 at 4:00.

HB 87 (Rep. Passidomo)/SB 418 (Sen. Richter): HB 87 and SB 418 deal with construction defect claims. CALL was opposed to the original versions, but the bills will be amended to address our concerns. SB 418 by Sen. Richter will be considered in its first committee of reference, Regulated Industries, on Tuesday, March 31 at 1:30 p.m.

Have a great week and we will continue to update you throughout the legislative session.

Very truly yours,



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