2019 End of Session Report

The Community Associations Institute’s (CAI) Florida Legislative Alliance (CAI FLA) had a busy legislative session. CAI members volunteered hundreds of collective hours to review bills, draft testimony, work with the alliance’s lobbyists, meet with legislators and other decision-makers, and testify for and against bills. More than 3,495 bills were introduced during Florida’s Legislative Session. The CAI FLA reviewed more than 60 bills that directly or indirectly impacted community associations and together, more than 1,050 advocates sent nearly 28,000 emails to 69 legislators sitting on key committees of jurisdiction including:

- Florida House Committees on
  - Appropriations
    - Government Operations and Technology Subcommittee
  - Commerce
    - Business and Professions Subcommittee
  - Judiciary
- Florida Senate Committees on
  - Criminal Justice
  - Innovation, Industry, and Technology

Below are the highlights of legislative achievements and setbacks for CAI FLA.

**Legislative Achievements**

- **Stopped SB 610:** Revising criminal penalties; requiring additional documents on the association’s website by a specified date & providing criminal penalties for fraudulent voting activities related to association elections, etc.
- **Stopped SB 1442:** Requiring owners to physically reside in the community in order to recall a HOA board director.
- **Stopped SB 1246:** Requiring nonbinding arbitration in construction defect disputes; authorizing parties to agree to be bound by the arbitration award; requiring a jury verdict and a final judgment to contain specified information in certain proceedings.
- **Help Advance HB 7103:** Extending the date for completion of a condominium’s retrofitting with a fire sprinkler system or Engineered Life Safety System (ELSS). This has gone to the Governor for consideration.
- **Defeated HB 987:** This Bill would have allowed vacation rentals everywhere despite community covenants and restrictions. Our team first had it modified to defer to community association governing documents and defeated an amendment that would have limited rental restrictions in HOAs.
• **Supported HB 1159**: Prohibits local governments from requiring notices, applications, approvals, permits, fees, or mitigation for pruning trimming or removal of trees on residential property if property owner obtains specified documentation.

**Legislative Setbacks**

• **CAI Bill HB 1075 stalled**: The Bill CAI FLA promoted was designed to:
  o Clarify that term limits for condominium board members are prospective
  o Allow associations to recover actual costs for background checks
  o Provide a clear timeline for payment of fines
  o Provide for a fair and equitable relationship between unit owners’ insurance policies and the association master policies by prohibiting subrogation
  o Provide pools in community associations with less than 32 homes would be exempt from Department of Health regulations
  o Protect board member personal property
  o Provide the mandatory pre-suit mediation process for condominium communities instead of nonbinding mandatory arbitration

• **SB 1128 stalled**: Would have confirmed that anyone requesting an emotional support animal submit written documentation verifying the disability-related need from a medical professional treating the patient in a form proscribed by the Department of Health. Also provided that anyone falsifying information or knowingly and willfully misrepresenting an animal is required for emotional support could face criminal penalties

For more information on the FLA’s activities and community association legislation in Florida, visit [www.caionline.org/FLA](http://www.caionline.org/FLA)

**Your Assistance is Needed**

The CAI Florida Legislative Alliance uses professional, paid lobbyists as a vital and integral part of the legislative process. As volunteers, CAI FLA members significantly rely on this highly effective professional representation. To help fund the CAI FLA advocacy activities in 2019 and beyond, donations are vital to our continued successes. We encourage donations from Florida community associations and individuals. Please visit [www.caionline.org/lacdonate/](http://www.caionline.org/lacdonate/) and donate to “Florida” to support our continued efforts.

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