

Amendment No.5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Tomkow offered the following:

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4 **Amendment (with title amendment)**

5 Between lines 463 and 464, insert:

6 Section 6. Paragraph (h) of subsection (1) of section
7 720.306, Florida Statutes, is created to read:

8 (h) Except as provided herein, an amendment to any
9 governing document enacted after July 1, 2020, that prohibits a
10 parcel owner from renting the parcel, alters the authorized
11 duration of a rental term, or specifies or limits the number of
12 times that a parcel owner may rent his or her parcel during a
13 specified term applies only to a parcel owner who acquires title
14 to the parcel after the effective date of the amendment, or to a
15 parcel owner who consents, individually or through a
16 representative, to the amendment.

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17 1. Notwithstanding the foregoing, an association may amend
18 its governing documents to prohibit or regulate rentals for
19 terms of less than 6 months and may amend its governing
20 documents to prohibit rentals more than 3 times in a calendar
21 year, and such amendments shall apply to all parcel owners.

22 2. Nothing in this paragraph shall affect the amendment
23 restrictions for associations of 15 or fewer parcel owners under
24 s. 720.303(1).

25 3. For purposes of this paragraph, a change of ownership
26 does not occur when a parcel owner conveys the parcel to an
27 affiliated entity or when beneficial ownership of the parcel
28 does not change. For purposes of this paragraph, the term
29 "affiliated entity" means an entity which controls, is
30 controlled by, or is under common control with the parcel owner
31 or that becomes a parent or successor entity by reason of
32 transfer, merger, consolidation, public offering,
33 reorganization, dissolution or sale of stock, or transfer of
34 membership partnership interests. For a conveyance to be
35 recognized as one made to an affiliated entity, the entity must
36 furnish the association a document certifying that this
37 paragraph applies, as well as providing any organizational
38 documents for the parcel owner and the affiliated entity that
39 support the representations in the certificate, as requested by
40 the association.

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T I T L E A M E N D M E N T

Remove line 25 and insert:

to adopt rules; amending s. 720.306, F.S.; providing that a governing document amendment modifying specified rental provisions enacted after a specified date applies only to specified parcel owners; providing exceptions; specifying when a change of parcel ownership does not occur; defining "affiliated entity"; providing that for a conveyance to be recognized as one to an affiliated entity, the entity must furnish specified documents as requested by the association; providing an effective date.