**FLORIDA’S BIG BEAUTIFUL CONDO BILL**

**BY: WILLIAM G. MORRIS, ESQ.**

President Trump has his Big Beautiful Bill. Florida’s legislature had HB 913 making lots of changes to Florida’s condominium laws. It might not be a big beautiful bill, but it was signed into law by the Governor and became effective July 1. This column will highlight some, but not all, of the new laws.

Associations have been required to carry insurance coverage for casualty damage for decades. Florida’s Condominium Act mandates insurance coverage based on full insurable value. The new law requires replacement cost be determined at least once every three years and now states that it may be based on determination by an independent insurance appraisal or an update of a previous appraisal.

The new laws confirm that association meetings may be conducted by videoconference. The videoconference recording is part of the official records. Larger associations must post a video conference recording on their website thirty (30) days after receiving the recording and maintain the videoconference recording for one year after it is posted. All associations must maintain video recordings or a hyper-link to the video recordings for at least one year.

If a meeting is by videoconference, the notice must so state and include a hyper-link and a conference telephone number for unit owners to attend, as well as the address of the physical location where unit owners can attend in person. All meetings conducted by videoconference must be recorded.

The annual unit owner meeting may be conducted by videoconference. If the annual meeting is conducted by videoconference, a quorum of members of the Board of administration must be physically present at the physical location where the unit owners can attend the meeting.

Milestone inspections and reserves got special attention. The legislature first addressed milestone inspections in 2022, requiring older, three-story residential condominiums to arrange structural inspections and set aside reserves for structural repairs. The reserves cannot be waived. The original deadline to complete the studies was December 31, 2024. The new law extends that to December 31, 2025.

The new law also allows associations to kick the reserve requirement down the road. Associations are allowed to pause reserve funding for structural integrity items for no more than two years immediately following a milestone inspection upon approval of a majority of the total voting interests of the association. This extension was aimed at softening the blow of what may be substantial assessments for some condominium owners.

Association budgets used to require associations include in a proposed budget reserves for capital expenditures and deferred maintenance for any item which would exceed $10,000. The minimum has been raised to $25,000 and that minimum will be annually adjusted for inflation.

There have been a lot of arguments about who pays to remove and replace hurricane protection when the associations is doing work on the outside of the building. The new laws clarify that unless otherwise provided in the declaration, the association is responsible for the cost of removing and reinstallation of hurricane protection.

Secret ballots may be a thing of the past for some associations. Associations have been allowed to conduct elections with electronic voting for a while as long as their governing documents provide for that. The new law allows electronic voting even if not provided in the governing documents.

If at least 25% of the voting interests of a condominium petition the board to adopt a resolution for electronic voting at the next scheduled election, the board must hold a meeting within 21 days to adopt the resolution. The petition must be delivered to the board within 180 days after the date of the last scheduled annual meeting. Associations can also adopt electronic voting in the Association’s governing documents. Unlike written ballots, electronic voting is not secret and how a unit owner votes electronically is an official record.

All of these changes are in effect now.

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