



## New Bills Filed for 2013 Session - CALL Alert for January 2, 2013

The 2013 Legislative Session does not begin until March 5, 2013, but there are already a number of bills filed and in the works that will impact community associations. To stay up to date on what is going on at the Capitol, make sure to follow me on Twitter (@YelineGoin\_CALL). I will continue to send out CALL Alerts and also will post on the Florida Condo & HOA Law Blog ([www.floridacondohoalawblog.com](http://www.floridacondohoalawblog.com))

**HB 73, Relating to Residential Properties (Rep. Moraitis):** HB 73 amends the Condominium Act, the Cooperative Act and the Homeowners' Association Act. HB 73 is similar to last year's HB 319, except it does not include any changes to Sec. 718.116, Florida Statutes (in other words, it does not make any changes to the "joint and several liability" language or the "safe harbor" provisions in Section 718.116). Here is link to HB 73:

<http://www.flsenate.gov/Session/Bill/2013/0073/BillText/Filed/PDF>

HB 73 has many positive impacts including, but not limited to, postponing costly elevator upgrades, imposing a deadline for election and recall challenges, removing the requirement for a member vote in order for condominium board members to serve two-year terms, allowing a condominium board to install code-compliant doors, and providing for a streamlined method for obtaining mortgagee consent for amendments for cooperative and homeowners' associations.

**SB 120, Relating to Condominiums (Sen. Latvala):** SB 120 amends the Condominium Act. This bill is supported by the Real Property Section of the Florida Bar and is intended to make the Condominium Act consistent with the Interstate Land Sales Acts (ILSA).

**HB 43, Relating to Assistance for Persons whose Primary Residences were Damaged by Tropical Storm Debby or Hurricane Isaac (Rep. Porter):** HB 43 provides for reimbursement of a portion of the ad valorem tax levied on a house or other residential building rendered uninhabitable due to Tropical Storm Debby or Hurricane Isaac and provides for reimbursement of the state sales tax paid on the purchase of a mobile home to replace a mobile home that experienced major damage from Tropical Storm Debby or Hurricane Isaac.

**SB 104, Relating to Mobile Home Parks (Sen. Detert):** SB 104 requires a mobile home park owner who receives a bona fide offer for purchase of the park to provide certain notice to the homeowners' association.

**SB 106, Relating to Mobile Home Park Tenancies (Sen. Detert):** SB 106 requires that additional information be provided in the prospectus or offering brochure which advises the customer of consequences if the land use is changed.

**Foreclosure bill by Rep. Passidomo:** Although the bill has not yet been filed, I expect that it will be filed this month. The bill will be similar to Rep. Passidomo's bill from last year (HB 213) and will give associations the right to move stalled mortgage foreclosure cases by using an expedited order to show cause procedure.

I will continue to update you as new bills are filed and as these bills move through the process. There will be two committee weeks in January, three committee weeks in February, and then the session starts in March. I am looking forward to continuing to work with Rep. Moraitis and Rep. Passidomo and all of the other bill sponsors to pass positive community association legislation in 2013.

Very Truly Yours,

**Yeline Goin, Executive Director**  
Community Association Leadership Lobby (CALL)

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