BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

# HOMEOWNERS ASSOCIATION AND CONDOMINIUM ASSOCIATION LEGISLATIVE UPDATE

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The 2020 regular Florida legislative session ended on March 13, 2020. Although several proposed bills relating to homeowners associations and condominium association were introduced during the regular session, only one bill, Senate Bill 476, was passed by the legislature and signed into law by the governor. Senate Bill 476, which was signed into law by Florida Governor Ron DeSantis, amends both Chapter 718, the Florida Condominium Act, and Chapter 720 which governs Homeowners Associations, proscribing certain prohibitions on parking of law enforcement vehicles. Specifically, the statutes were amended to provide that associations may not prohibit a law enforcement officer who is an owner, tenant, guest or invitee of an owner from parking his or her assigned law enforcement vehicle in an area where owners, tenants, guests or invitees otherwise have a right to park. The new statutory provisions took effect on February 21, 2020.

In addition to Senate Bill 476, Senate Bill 140 was passed by the legislature and will be sent to the governor for signature. Senate Bill 140 authorizes the use of fireworks during certain designated holidays including New Year's Eve, New Year's Day, and Independence Day. The legislation specifically states that it does not supersede any prohibition against the use of fireworks contained in a recorded declaration governing a homeowners association, however the board of directors of a homeowners association may not promulgate rules that abrogate a homeowner's right to use fireworks during a designated holiday.

The legislature also passed Senate Bill 1084 which relates to emotional support animals. Although not specifically related to condominium or homeowners association, Senate Bill 1084 includes various provisions relating to emotional support animals that could impact associations including restrictions relating to animals in a condominium or community and information associations can request to support that a person has a disability and/or a person's need for an emotional support animal.

We will continue to track the legislation which will be sent to the governor for signature.

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