BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

2024 FLORIDA HOA LEGISLATION

May 31, 2024

By: Jeffrey R. Margolis

The governor has signed the following legislation which affects Florida homeowners' associations.

1) HB 59 – This legislation, which is effective July 1, 2024 amends Section 720.303, Florida Statutes, and requires the following:

1. An association must provide a physical or digital copy of the association's rules and covenants to every member of the association before October 1, 2024.
2. An association must provide all new members of the association with a physical or digital copy of the association's rules and covenants.
3. If an association's rules or covenants are amended, every member of the association must be provided with an updated copy of the amended rules or covenants.
4. The requirement to provide copies of the association's rules and covenants to members may be met by posting a complete cop0y of the rules and covenants on the homepage of the association's website and the association sends notice to each member of its intent to utilize the website for such purpose by (i) email to any member that has consented to receive notices by e-mail and provided an e-mail address to the association for that purpose and (ii) by mail to all other members of the association.

2) HB 293 – This legislation which is effective immediately amends Section 720.3035, Florida Statutes, and requires the following:

1. All associations must adopt hurricane protection specifications for each structure or improvement on a parcel governed by the association, which specifications must comply with the building code and may include color and style of hurricane protection products and other factors deemed relevant by the board.
2. An association may not deny an application for the installation, enhancement, or replacement of hurricane protection by an owner which conforms to the specifications adopted by the association.
3. "Hurricane Protection" includes roof systems, permanent fixed storm shutters, roll-down track storm shutters, impact resistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, exterior fixed generators, fuel storage tanks, and other protection products used to preserve and protect structures or improvements.

3) HB 1645 – This legislation, which is effective July 1, 2024 amends Section 720.3075, Florida Statutes, to provide that homeowners association documents may not prohibit the following:

1. Types or fuel sources of energy production which may be used, delivered, converted or supplied by the following to service customers within the association (i) a public utility or an electric utility, (ii) an entity that generates, sells, or transmits electrical energy, (iii) a natural gas utility, (iv) a natural gas transmission company, (v) a Category I liquefied petroleum gas dealer, (vi) a Category II liquefied petroleum gas dispenser or (vii) a Category III liquefied petroleum gas cylinder exchange operator.

2. The use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by such entities.

The full text of HB 59 can be found HERE. The full text of HB 293 can be found HERE. The full text of HB 1645 can be found HERE

Berger Singerman's Real Estate Team remains dedicated to keeping you informed about significant legislative developments that may impact your future developments and business operations. Should you have any questions or require further guidance on how these changes may affect your projects, please contact Jeffrey R. Margolis.

Related Practice Teams

Business, Finance & Tax

Related Team Member(s)

Jeffrey R. Margolis