

1 A bill to be entitled
 2 An act relating to homeowners' associations; amending
 3 s. 720.306, F.S.; providing requirements for the
 4 election of members of the board of directors for
 5 associations in specified communities; providing an
 6 effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Paragraph (d) is added to subsection (9) of
 11 section 720.306, Florida Statutes, to read:

12 720.306 Meetings of members; voting and election
 13 procedures; amendments.—

14 (9) ELECTIONS AND BOARD VACANCIES.—

15 (d) The governing documents shall provide that for the
 16 election of directors for a community with 7500 parcels or more:

17 1. At least 60 days before a scheduled election, the
 18 association shall mail, deliver, or electronically transmit, by
 19 separate association mailing or included in another association
 20 mailing, delivery, or transmission, including regularly
 21 published newsletters, to each parcel owner entitled to a vote,
 22 a first notice of the date of the election. The notice must
 23 include instructions for an owner to nominate himself or herself
 24 as a candidate for the board.

25 2. A parcel owner or other eligible person desiring to be

26 | a candidate for the board must give written notice of his or her
27 | intent to be a candidate to the association at least 40 days
28 | before a scheduled election.

29 | 3. In addition to the written notice as set forth in
30 | subsection (5), the association shall mail, deliver, or
31 | electronically transmit a second notice of the election to all
32 | parcel owners entitled to vote, including a ballot that lists
33 | all candidates.

34 | 4. Upon request of a candidate, an information sheet, no
35 | larger than 8 1/2 inches by 11 inches which must be furnished by
36 | the candidate at least 35 days before the election, must be
37 | included with the mailing, delivery, or transmission of the
38 | ballot. The association shall bear the costs associated with the
39 | mailing, delivery, or electronic transmission and copying of the
40 | information sheet. In order to reduce costs, the association may
41 | print or duplicate the information sheet on both sides of the
42 | paper. The association is not liable for the contents of the
43 | information sheet prepared by a candidate.

44 | 5. The board shall by rule establish voting procedures
45 | consistent with this paragraph, including rules establishing
46 | procedures for giving notice by electronic transmission.

47 | 6. Elections shall be decided by a plurality of ballots
48 | cast. There is no quorum requirement; however, at least 20
49 | percent of the eligible voters must cast a ballot or vote in
50 | person or by limited proxy in order to have a valid election.

51 7. Members may not vote by general proxy but may vote by
52 secret ballot or by limited proxy in an election of directors,
53 as determined by the board. If an election is conducted by
54 secret ballot, the provisions of paragraph (8) (b) apply.

55 8. The election of directors shall be held on the date of
56 the annual meeting.

57 Section 2. This act shall take effect July 1, 2017.