

HB 1001

2017

1 A bill to be entitled
2 An act relating to condominiums; amending s. 718.112,
3 F.S.; providing fines for officers and directors
4 committing certain offenses; authorizing the Division
5 of Florida Condominiums, Timeshares, and Mobile Homes
6 to recall certain officers or board members; providing
7 an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (o) of subsection (2) of section
12 718.112, Florida Statutes, is amended to read:

13 718.112 Bylaws.—

14 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
15 following and, if they do not do so, shall be deemed to include
16 the following:

17 (o) Director or officer offenses.—

18 1. A director or officer charged by information or
19 indictment with a felony theft or embezzlement offense involving
20 the association's funds or property must be removed from office,
21 creating a vacancy in the office to be filled according to law
22 until the end of the period of the suspension or the end of the
23 director's term of office, whichever occurs first. While such
24 director or officer has such criminal charge pending, he or she
25 may not be appointed or elected to a position as a director or

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26 officer. However, if the charges are resolved without a finding
27 of guilt, the director or officer shall be reinstated for the
28 remainder of his or her term of office, if any.

29 2. If the board or division determines a director or
30 officer has knowingly violated any association bylaw or
31 provision of this chapter, the officer or director is liable to
32 the association for the following fines:

33 a. Two hundred and fifty dollars for a first violation.

34 b. Five hundred dollars for a second violation.

35 c. One thousand dollars for a third or subsequent
36 violation and such director or officer may be recalled by order
37 of the division.

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