

ENROLLED

CS/HB 293, Engrossed 1

2024 Legislature

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An act relating to hurricane protections for homeowners' associations; amending s. 720.3035, F.S.; providing applicability; requiring the board or a committee of a homeowners' association to adopt hurricane protection specifications; requiring that such specifications conform to applicable building codes; prohibiting the board or a committee of an association from denying an application for the installation, enhancement, or replacement of certain hurricane protection; authorizing the requirement to adhere to certain guidelines regarding the external appearance of a structure or an improvement on a parcel; defining the term "hurricane protection"; providing an effective date.

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

Section 1. Subsection (6) is added to section 720.3035, Florida Statutes, to read:

720.3035 Architectural control covenants; parcel owner improvements; rights and privileges.—

(6) (a) To protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protection installed by parcel owners, this

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26 subsection applies to all homeowners' associations in the state,  
 27 regardless of when the community was created. The board or any  
 28 architectural, construction improvement, or other such similar  
 29 committee of an association must adopt hurricane protection  
 30 specifications for each structure or other improvement on a  
 31 parcel governed by the association. The specifications may  
 32 include the color and style of hurricane protection products and  
 33 any other factor deemed relevant by the board. All  
 34 specifications adopted by the board must comply with the  
 35 applicable building code.

36 (b) Notwithstanding any other provision in the governing  
 37 documents of the association, the board or any architectural,  
 38 construction improvement, or other such similar committee may  
 39 not deny an application for the installation, enhancement, or  
 40 replacement of hurricane protection by a parcel owner which  
 41 conforms to the specifications adopted by the board or  
 42 committee. The board or committee may require a parcel owner to  
 43 adhere to an existing unified building scheme regarding the  
 44 external appearance of the structure or other improvement on the  
 45 parcel.

46 (c) For purposes of this subsection, the term "hurricane  
 47 protection" includes, but is not limited to, roof systems  
 48 recognized by the Florida Building Code which meet ASCE 7-22  
 49 standards, permanent fixed storm shutters, roll-down track storm  
 50 shutters, impact-resistant windows and doors, polycarbonate

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51 panels, reinforced garage doors, erosion controls, exterior  
52 fixed generators, fuel storage tanks, and other hurricane  
53 protection products used to preserve and protect the structures  
54 or improvements on a parcel governed by the association.

55 Section 2. This act shall take effect upon becoming a law.