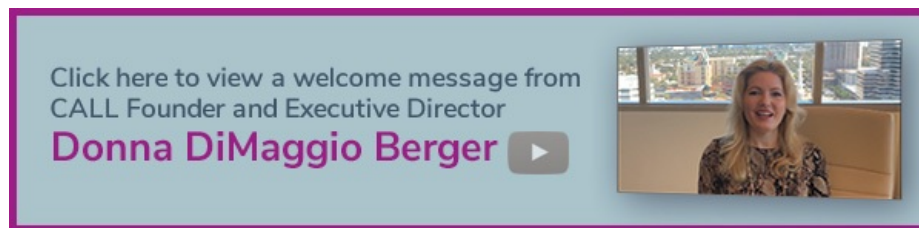


2019 Florida Legislative Session - CALL Alert for January 30, 2019

January 30, 2019

By: Donna DiMaggio Berger



The 2019 Florida Legislative Session will start on March 5th at noon. As we've seen in years past, we can expect several Association bills to make their way through the committee process before ultimately being condensed into one or two main bills by the time Session is expected to end on May 3rd.

We already have a few bills which warrant your attention. It's too early in the process to take a deep dive into the substance of these bills but as the Session progresses the viable bills will be analyzed and summarized for you.

HB 155 sponsored by Rep John Cortes (Osceola County) would permit only full-time HOA members to participate in a vote on the recall of a board member. That bill is currently in the Business & Professions Committee chaired by Rep. Heather Fitzenhagen (Lee County).

SB 372 sponsored by Senator Gary Farmer (Ft. Lauderdale) would permit the smoking and sale of flower form of marijuana for medical use while SB 182 sponsored by Senator Jeff Brandes (St. Petersburg) would maintain the current prohibition against smoking the flower form of marijuana for medical use.

The consumption of cannabis has been permitted for limited medical use in Florida but allowing the smoking of such substance can prove to be particularly troubling in multifamily buildings where the secondhand smoke may affect the common elements and other units. For those of you wondering how you should react to individuals smoking marijuana in your community, check out the first video in our series *Can They Do That?*

As for the looming ELSS deadline this year, CALL continues to vigorously lobby on this issue on behalf of older Florida high rises that are still impacted.

We are hopeful that the Florida Legislature will see fit this year to honor the previous votes those communities took to opt out of sprinklers and stand up to the pressure being exerted by companies wishing to impose costly retrofits on already safe buildings. However, given the uncertainties involved with legislation, it is imperative that associations which are currently required to install an Engineered Life Safety System by the end of 2019 work with their association counsel on the myriad of issues related to the retrofit. Primarily, this work would include counsel's review of engineering and construction contracts as well as evaluating governing documents to determine if there are any hurdles to financing the retrofit if a legislative fix does not materialize. Moreover, it may become necessary to secure compliance from recalcitrant owners who are not pleased about allowing the retrofit work to proceed inside their units. The sprinkler retrofit mandate was the genesis for CALL's creation back in 2003 so we've come full circle on this issue in this the last year that further legislative relief can be attained.

Please click [here](#) to see a list of bills CALL is currently monitoring. This list will be expanded and modified as we navigate our **60-day Legislative Session in Florida**. There will be times throughout the Session where your community may wish to support or oppose a bill. We've made that easy for you with our Legislator Connect feature which allows you to compose an email to your public policy makers with just a touch of a button. Lastly, we have added a **Florida Senate Live Feeds** function on our CALL website so you can watch the bills we are tracking live in committee.

As an annual retainer client of Becker you are an automatic member of our Community Association Leadership Lobby (CALL). Our goal is to give you a seat at the table while bills that impact both the manner in which you operate your communities and the costs to do so are debated and passed. Please take advantage of the opportunities presented by that seat.

And, lastly, I would be remiss if I didn't extend a huge Thank You to my colleague and friend Yeline Goin who served as Executive Director of CALL for the last 12 years. Your excellent work and commitment to CALL has strengthened our community. I will do my best to follow suit and keep the torch lit into the new year and beyond.