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GOVERNOR DESANTIS SIGNS HB 1645 (2024), PROHIBITING HOMEOWNERS ASSOCIATIONS FROM LIMITING THE USE OF CERTAIN FUEL SOURCES OR APPLIANCES USING THOSE FUEL SOURCES



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On May 15, 2024, Governor DeSantis signed HB 1645 (2024).

Effective July 1, 2024, HB 1645 (2024) amends Fla. Stat. Sec. 720.3075 as follows:

- Prohibits homeowners associations from precluding types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers within the Association that such entities are authorized to serve:
 - (1) a public utility or electrical utility;
 - (2) an entity that generates, sells, or transmits electrical energy;
 - (3) a natural gas utility;
 - (4) a natural gas transmission company; or
 - (5) a liquefied petroleum gas dealer, dispenser, or cylinder exchange operator.
- Prohibits limiting the use of an appliance, including a stove or grill, that uses the types or fuel sources listed above.

Although the bill does not expressly state the legislature intended for the prohibition to apply retroactively to restrictions predating the statute's effective date, if your community has restrictions in place, it should consider carefully whether such restrictions remain enforceable.

Shumaker has a team of attorneys specializing in community association law who can assist your Association in compliance with existing and recently enacted law, as well as future legislative changes. We are pleased to discuss any needs you have arising from this newly enacted legislation or otherwise.

The text of HB 1645 (2024) is [available here](#).

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