

JUNE 12, 2024 | PUBLICATION

Client Alert: Governor DeSantis Signs HB 293 (2024), Requiring Homeowners Associations to Maintain Written Hurricane Protection Specification Requirements

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On May 29, 2024, Governor DeSantis signed HB 293 (2024), which amends Fla. Stat. Sec. 720.3035 as follows:

- Requires homeowners associations to adopt hurricane protection specifications for each structure or other improvement on parcels governed by the Association, including individual lots.
 - The specifications may address permitted colors and styles and must comply with applicable building codes.
- Prohibits an Association from denying an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner that conforms to the specifications adopted by the Board or committee.

Importantly, the bill evidences a retroactive intent, meaning the legislature intended the requirement to apply to all homeowners associations regardless of whether they were in existence prior to enactment of the law. While there may be arguments in opposition to retroactive application, homeowners associations would be wise to ensure compliance with the new requirements to avoid waiving their ability to regulate hurricane protection components.

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 293 (2024) is [available here](#).

