

Mandated Changes to SS723, effective July 1, 2015

TO BE IN COMPLIANCE BY JULY 1, 2015

ARTICLE I, B 1st Paragraph should now read the additional underscored word:

“Minutes of all meetings of members, committees, and of the board of directors shall be kept in a businesslike manner and shall be available for inspection by members, or their authorized representatives, and board members at reasonable times. The association shall retain these minutes for a period of not less than seven (7) years.”

ARTICLE I, Section 1 - Amendments, Add as new 1st Paragraph

Notwithstanding any other provision of this section, if an amendment to the articles of incorporation or the bylaws is required by any action of any federal, state, or local governmental authority or agency, or any law, ordinance, or rule thereof, the board of directors may, by a majority vote of the board, at a duly noticed meeting of the board, amend the articles of incorporation or bylaws without a vote of the membership. (Reference SS723.078)

ARTICLE IV, C, Add as new item 4.

An outgoing board or committee member must relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within 5 days after the election or removal. (Reference SS723.079)

ARTICLE IV, SECTION 1, A. Insert after 1st Paragraph

A member of the board of directors or a committee may submit in writing his or her agreement or disagreement with any action taken at a meeting that the member did not attend. This agreement or disagreement may not be used as a vote for or against the action taken and may not be used for the purposes of creating a quorum. (Reference SS723.078)

ARTICLE III, SECTION 1, Add 2 new paragraphs under B. Electronic Transmission, MOVE CURRENT B. RULES TO C. RULES

A board or committee member's participation in a meeting via telephone, real-time videoconferencing, or similar real-time telephonic, electronic, or video communication counts toward a quorum, and such member may vote as if physically present. A speaker shall be used so that the conversation of those board or committee members attending by telephone may be heard by the board or committee members attending in person, as well as by members present at a meeting. (Reference SS723.078)

Members of the board of directors may use e-mail as a means of communication but may not cast a vote on an association matter via e-mail. (Reference SS723.078)

ARTICLE III, SECTION 1, NEW C. RULES, add new paragraph 11.

Any item not included on the notice may be taken up on an emergency basis by at least a majority plus one of the members of the board. Such emergency action shall be noticed and ratified at the next regular meeting of the board. (Reference SS723.078)

ARTICLE V, SECTION 2 – DUTIES, Add new 1st paragraph

Minutes of all meetings of members of an association, the board of directors, and a committee must be maintained in written form and approved by the members, board, or committee, as applicable. A vote or abstention from voting on each matter voted upon for each director present at a board meeting must be recorded in the minutes. (Reference 723.078(e))

ARTICLE IV, SECTION 1 – Board of Directors, insert 1st paragraph before A.

After being elected or appointed to the board (within 90 days), a newly elected or appointed director shall certify by an affidavit in writing to the secretary of the association that he or she has read the association's current articles of incorporation, bylaws, and the regulations, and the mobile home park's prospectus, rental agreement, rules, regulations, and written policies to the best of his or her ability, and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. In lieu of this written certification, within 90 days after being elected or appointed to the board, the newly elected or appointed director may submit a certificate of having satisfactorily completed the educational curriculum approved by the division within 1 year before or 90 days after the date of election or appointment. The educational certificate is valid and does not have to be resubmitted as long as the director serves on the board without

interruption. A director who fails to timely file the written certification or educational certificate is suspended from service on the board until he or she complies with the section. The board may temporarily fill the vacancy during the period of suspension. The secretary of the association shall retain a director's written certification or educational certificate for inspection by the members for 5 years after the director's election or the duration of the director's uninterrupted tenure, whichever is longer. Failure to have such written certification or educational certificate on file does not affect the validity of any board action. (Reference SS723.079)

ARTICLE II – Section 3 – Membership Roster, add new section

The association shall maintain the following items, a current roster of all members and their mailing addresses and lot identifications. The association shall also maintain the e-mail addresses and the numbers designated by members for receiving notice sent by electronic transmission of those members consenting to receive notice by electronic transmission. The e-mail addresses and numbers provided by members to receive notice by electronic transmission shall be removed from association records when consent to receive notice by electronic transmission is revoked. However, the association is not liable for an erroneous disclosure of the e-mail address or the number for receiving electronic transmission of notices. (Reference SS723.079)

ARTICLE III, Section 1, New C. Rules: make the following insertions to the following paragraphs

8. The Secretary or designee shall notify each member in writing or electronic transmission at least fourteen days prior to the annual meeting as well as post said notice in a conspicuous place on the park property also fourteen days prior to the meeting. This notice shall provide the date, place, time and agenda of said meeting.

9. The Secretary or designated officer shall provide an affidavit affirming that notices were mailed, hand delivered, or by electronic transmission, in accordance with the provisions of this section to each member at the address last furnished by the member.

CHANGES TO TABLE OF CONTENTS AS FOLLOWS:

ARTICLE II – Section 3 – Membership Roster

ARTICLE III – Section 1 – B. Electronic Transmission

ARTICLE III – Section 1 – C. Rules