

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

EMERGENCY ORDER 2020-04

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, as of March 23, 2020, numerous counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

WHEREAS, the Governor issued Executive Order 20-52 on March 9, 2020, pursuant to the authority vested in him by Article IV, Section 1(a) of the Florida Constitution, the State Emergency Management Act, s. 252.31, Florida Statutes, *et al.*, as amended, and all other applicable laws, and declared a state of emergency for the State of Florida; and

WHEREAS, the Governor, in Executive Order Number 20-52, authorized each State agency to suspend the provisions of any regulatory statute of that agency, if strict compliance with that statute would in any way prevent, hinder, or delay necessary action in coping with this emergency;

NOW, THEREFORE, I, HALSEY BESHEARS, Secretary of Florida’s Department of Business and Professional Regulation, pursuant to the authority granted by Executive Order No. 20-52, find the timely execution of the mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to COVID-19, is negatively impacted by the application of certain regulatory statutes related to the Department of Business and Professional Regulation (“the Department”). Therefore, I order the following:

1. The limitation within section 718.1265(1), Florida Statutes, of the emergency powers of a condominium association during a declared state of emergency being conditioned upon a “response to damage caused by an event” is hereby suspended. The emergency powers available to condominium associations’ boards of administration, as described in section 718.1265(1)(a)-(j), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, unit owners, unit owners’ family members, tenants, guests, agents, or invitees.
2. The limitation within section 719.128(1), of the emergency powers of a cooperative association during a declared state of emergency being conditioned upon a “response to damage caused by an event” is hereby suspended. The emergency powers available to cooperative associations’ boards of administration, as described in section 719.128(1)(a)-(j), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, unit owners, unit owners’ family members, tenants, guests, agents, or invitees.
3. The limitation within section 720.316(1), of the emergency powers of a board of directors during a declared state of emergency being conditioned upon a “response to damage caused by an event” is hereby suspended. The emergency powers available to boards of directors, as described in section 720.316(1)(a)-(h), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, parcel owners, parcel owners’ family members, tenants, guests, agents, or invitees.

4. The exercise of any association's emergency powers remains unless specifically prohibited by the provisions of the association's governing documents. *See* §§ 718.1265(2), 719.128(2), & 720.316(2), Fla. Stat. (2019).
5. The provisions identifying emergency management officials in sections 718.1265(1)(g) and 719.128(g), Florida Statutes, is clarified to include public health officials.
6. The timing requirements for condominium associations' financial reports in section 718.111(13), Florida Statutes are hereby suspended and tolled.
7. The timing requirements for cooperative associations' financial reports in section of 719.104(4), Florida Statutes, are hereby suspended and tolled.
8. The timing requirements for submitting copies of a timeshare plans' audited financial statements to the Department in section 721.13(3)(e), Florida Statutes, are hereby suspended and tolled.
9. The timing requirements for submitting copies of a timeshare plans' statement of receipts and disbursements regarding an ad valorem tax escrow account in sections 721.13(3)(i)1. and 192.037(6)(e), Florida Statutes, are hereby suspended and tolled.
10. The assessments of harbor pilots made pursuant to rule 61G14-19.001, Florida Administrative Code, are waived for March and April, 2020, and the deadline for submission of the earnings statement and the appropriate material from the federal income tax return is extended from April 15, 2020 until July 15, 2020.
11. Any restriction in chapter 474, Florida Statutes, or chapter 61G-18, Florida Administrative Code, which would prohibit active Florida licensed veterinarians in good standing from practicing telemedicine on their patients is suspended provided the

attending veterinarian is comfortable assessing the patient remotely and feels able to exercise good clinical judgment to assist the patient.

12. This Emergency Order shall expire at the expiration of Executive Order 20-52, including any extension.

Executed this 27th day of March, 2020, in Tallahassee, Leon County, Florida.

FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION



Halsey Beshears, Secretary
2601 Blair Stone Road
Tallahassee, Florida 32399

Filed on this date, with
the designated Agency Clerk,
receipt of which is hereby
acknowledged.

Gauge Campbell

Agency Clerk's Office

Date: **March 27, 2020**