Electronic Voting Adoption Checklist

Florida HOAs and condominiums · Sections 720.317 and 718.128, F.S.

Use this to adopt an online voting system for elections and other owner votes. Each step shows the HOA rule (720.317) and the condo rule (718.128) where they differ. Start with your bylaws.

- [ ] **Read the bylaws first**

  Note the election and voting procedures, whether director elections are by secret ballot, and any board-meeting notice rule longer than the statute's. The system must be consistent with the bylaws' election and voting procedures (720.317(1)(a)3.). Bylaw sections: _____

- [ ] **Notice the board meeting that will consider the resolution**

  HOA, 720.317(3): written notice mailed, delivered, or electronically transmitted to owners and posted conspicuously at least 14 days before the meeting; the person giving notice signs an affidavit, filed in the official records. Condo: 718.128 sets no separate period (the 14-day rule was deleted by HB 913, 2025). In our reading, regular board notice under 718.112(2)(c)1. applies: posted 48 continuous hours ahead with agenda items identified. Meeting date: _____

- [ ] **Adopt the resolution with its three required parts**

  720.317(3) / 718.128(4): (1) owners receive notice of the opportunity to vote online; (2) reasonable procedures and deadlines to consent, electronically or in writing; (3) reasonable procedures and deadlines to opt out after consenting. Consent deadline: _____ Opt-out deadline: _____

- [ ] **Confirm the system can do each of these**

  720.317(1)(b) / 718.128(2): authenticate the owner's identity; authenticate each vote so it is not altered in transit; send each online voter a receipt; permanently separate identifying information from the ballot; store ballots for recount, inspection, and review. HOA: separation required only if the bylaws provide secret ballots for director elections. Condo: required for every board election.

- [ ] **Tell owners and collect consents**

  Consent is electronic or written and stays valid until the owner opts out (720.317(4) / 718.128(5)). Condo: the board must honor an owner's request to vote electronically at all subsequent elections unless they opt out (718.128(4)). Keep a dated list of consents and opt-outs.

- [ ] **Offer the device check 14 days before each voting deadline**

  720.317(1)(a)2. / 718.128(1)(c): a method to confirm, at least 14 days before the voting deadline, that the owner's device can communicate with the system. Voting deadline: _____ Check available by: _____

- [ ] **Count online voters toward quorum**

  720.317(2) / 718.128(3): an owner voting electronically counts as in attendance for quorum. Condo: if quorum rests on electronic votes, no substantive vote on any issue not identified in the electronic vote.

Free checklist. General information, not legal advice. Review it with your association's attorney.
Based on Sections 720.317; 718.128; 718.112(2)(c)1.; 720.303(4)(a)12., Florida Statutes. Current as of October 30, 2026.

- [ ] **Condo petition: 25 percent, 21 days**

  718.128(6): if at least 25% of the voting interests petition for an electronic voting resolution for the next scheduled election, the board meets within 21 days after receipt to adopt it. The petition must arrive within 180 days after the last scheduled annual meeting. Petition received: _____ Meet by: _____

- [ ] **Keep the records**

  The notice affidavit (HOA), the resolution, the consent and opt-out list, receipts, and stored ballots. HOA voting records are official records kept at least 1 year after the election (720.303(4)(a)12.).

Free checklist. General information, not legal advice. Review it with your association's attorney.
Based on Sections 720.317; 718.128; 718.112(2)(c)1.; 720.303(4)(a)12., Florida Statutes. Current as of October 30, 2026.