

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “McConkey” insert “and Stern”; strike beginning with “Resale” in line 2 down through “Frames” in line 3 and substitute “Task Force on the Resale of Homes in Condominiums and Homeowners Associations”; strike beginning with “altering” in line 4 down through “owner” in line 13 and substitute “creating a Task Force on the Resale of Homes in Condominiums and Homeowners Associations; providing for the composition of the Task Force; requiring the President of the Senate and the Speaker of the House to designate a chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; prohibiting a member from receiving compensation but entitling a member to reimbursement for certain expenses; providing for the duties of the Task Force; requiring the Task Force to submit certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force on the Resale of Homes in Condominiums and Homeowners Associations”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 1, in line 20, strike “the Laws of Maryland read as follows”; and after line 20, insert:

“(a) There is a Task Force on the Resale of Homes in Condominiums and Homeowners Associations.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the

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House;

(3) one representative of the Consumer Protection Division of the Office of the Attorney General; and

(4) the following members, appointed by the President of the Senate and the Speaker of the House:

(i) one representative of realtors;

(ii) one representative of associations that represent common ownership communities;

(iii) one representative of professional management companies of large condominiums or homeowners associations;

(iv) one representative of professional management companies of small and medium-size condominiums or homeowners associations;

(v) one representative of attorneys at law licensed to practice in the State who represent buyers in residential real estate transactions;

(vi) one representative of attorneys at law licensed to practice in the State who represent condominiums or homeowners associations; and

(vii) three representatives of the general public:

1. two of whom are members of a council of unit owners in a condominium or governing body of a homeowners association; and

2. one of whom owns a unit in a condominium or a lot in a homeowners association and is not a member of the council of unit owners in the condominium or the governing body of the homeowners association.

(c) The President of the Senate and the Speaker of the House shall designate the chair of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study and make recommendations regarding:

(1) the issues involved with the resale by owners of homes located in condominiums or homeowners associations, including:

(i) the time frames for the delivery of documents and statements to sellers and to buyers;

(ii) the content of documents and statements that sellers must provide to buyers;

(iii) the consequences when time frames for the delivery of documents and statements to sellers and to buyers are not satisfied; and

(iv) the time period within which a buyer may rescind a sales contract without any liability; and

(2) the issues involved with the resale by owners of homes located in condominiums or homeowners associations that are subject to multiple common ownership regimes, including the coordination of the preparation of the documents and statements for the resale process.

(g) The Task Force shall submit an interim report on its findings and recommendations on or before June 30, 2006, and a final report on or before December 31, 2006, to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly.”.

On pages 1 through 6, strike in their entirety the lines beginning with line 21 on page 1

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through line 35 on page 6, inclusive.

On page 7, in line 2, strike “October” and substitute “June”; and in the same line, after the period insert “It shall remain effective for a period of 1 year and 7 months and, at the end of December 31, 2006, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.