

SENATE BILL 305

N1

9lr2107

By: **Senator Beidle**

Introduced and read first time: January 30, 2019

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 5, 2019

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Homeowners Associations – Number of Declarant Votes**

3 FOR the purpose of altering the number of declarant votes before the date on which all lots
4 that may be part of a development have been subdivided and recorded under certain
5 circumstances; providing that a declarant is entitled to a certain number of votes
6 beginning on the date on which all lots that may be part of a development have been
7 subdivided and recorded under certain circumstances; and generally relating to
8 declarant votes in homeowners associations.

9 BY repealing and reenacting, with amendments,
10 Article – Real Property
11 Section 11B–111.7
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Real Property**

17 11B–111.7.

18 **(A)** Notwithstanding any other provision of law or any provision in the
19 declaration, bylaws, rules, deeds, agreements, or recorded covenants or restrictions of a
20 homeowners association, [until the time all lots in a homeowners association] **BEGINNING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **ON THE DATE ON WHICH ALL LOTS THAT MAY BE PART OF THE DEVELOPMENT** have
2 been subdivided and recorded in the land records of the county in which the homeowners
3 association is located, the declarant, when voting on a homeowners association matter,
4 shall [have a number of votes that is equal to the number of lots that] **BE ENTITLED TO**
5 **ONE VOTE PER LOT THAT:**

6 (1) [Have] **HAS** been subdivided and recorded in the land records of the
7 county in which the homeowners association is located; and

8 (2) [Have] **HAS** not been sold to members of the public.

9 **(B) BEFORE THE DATE ON WHICH ALL LOTS THAT MAY BE PART OF THE**
10 **DEVELOPMENT HAVE BEEN SUBDIVIDED AND RECORDED IN THE LAND RECORDS OF**
11 **THE COUNTY IN WHICH THE HOMEOWNERS ASSOCIATION IS LOCATED, THE**
12 **DECLARANT, WHEN VOTING ON A HOMEOWNERS ASSOCIATION MATTER, SHALL BE**
13 **ENTITLED TO THE NUMBER OF VOTES SET FORTH IN THE GOVERNING DOCUMENTS**
14 **OF THE HOMEOWNERS ASSOCIATION.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.