

**HB1053/220116/2**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1053

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Bodies” insert “and Annual Meetings”; in line 5, after “year;” insert “requiring a developer of a condominium or a declarant of a homeowners association to convene a certain annual meeting under certain circumstances; requiring certain meetings to include an opportunity for certain unit owners or lot owners to provide comment;”; and in line 26, after “association;” insert “making stylistic changes;”.

On page 2, in line 1, strike “11–109(a) and (b)” and substitute “11–109(b)”; and in line 6, strike “11–109(c)” and substitute “11–109(a) and (c)”; and after line 9, insert:

“BY repealing and reenacting, without amendments,

Article – Real Property

Section 11B–101(a), (c), and (d)

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 14, after “(a)” insert “(1)”; in line 15, after “purposes.” insert:

“(2)”;

and in line 16, strike “be comprised of” and substitute “COMPRISE”.

On page 3, strike beginning with “(I)” in line 4 down through “(II)” in line 6; in line 9, after “(i)” insert “1.”; in the same line, strike “paragraph” and substitute “SUBPARAGRAPH”; in line 12, strike “(ii)” and substitute “2.”; in the same line, strike

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“subparagraph (iii) of this paragraph” and substitute “**SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH**”; in line 16, strike “(iii)” and substitute “**3.**”; in line 14, strike the second “a” and substitute “**EACH**”; in line 19, strike “(iv)” and substitute “**(II)**”; in the same line, after “body” insert “**OR THE DEVELOPER**”; in the same line, strike “one meeting” and substitute “**TWO MEETINGS**”; and in line 20, strike the first “the” and substitute “**:**”

**1. THE**;

and in the same line, after “condominium” insert “**;** **AND**

**2. THE UNIT OWNERS HAVE AN OPPORTUNITY TO PROVIDE COMMENT**”.

On page 9, after line 28, insert:

“**11B-101.**

(a) In this title the following words have the meanings indicated, unless the context requires otherwise.

(c) “Declarant” means any person who subjects property to a declaration.

(d) (1) “Declaration” means an instrument, however denominated, recorded among the land records of the county in which the property of the declarant is located, that creates the authority for a homeowners association to impose on lots, or on the owners or occupants of lots, or on another homeowners association, condominium, or cooperative housing corporation any mandatory fee in connection with the provision of services or otherwise for the benefit of some or all of the lots, the owners or occupants of lots, or the common areas.

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(2) “Declaration” includes any amendment or supplement to the instruments described in paragraph (1) of this subsection.

(3) “Declaration” does not include a private right-of-way or similar agreement unless it requires a mandatory fee payable annually or at more frequent intervals.”.

On page 13, strike beginning with “This” in line 7 down through “before” in line 8 and substitute “**AFTER**”; in line 9, strike the semicolon and substitute a colon; in line 10, strike “(ii)” and substitute “**1.**”; in the same line, strike “(iii)” and substitute “**2.**”; in line 11, strike the first “a” and substitute “**THE**”; in the same line, strike “a governing” and substitute “**THE GOVERNING**”; in the same line, strike “during a” and substitute “**DURING EACH**”; in line 13, after “association;” insert “**AND**”; in line 14, strike “(iii)” and substitute “**2.**”; in line 17, strike “(iv)” and substitute “**(II)**”; in the same line, after “body” insert “**OR THE DECLARANT**”; in the same line, strike “one meeting” and substitute “**TWO MEETINGS**”; in line 18, strike the first “the” and substitute “**:**”

**1. THE**;

in the same line, after “association” insert “**;** **AND**”

**2. THE LOT OWNERS HAVE AN OPPORTUNITY TO PROVIDE COMMENT**”.

On page 14, in line 3, in each instance, strike the bracket; and strike beginning with the semicolon in line 11 down through “YEAR” in line 13.

**AMENDMENT NO. 3**

On page 1, in lines 12, 13, 23, and 25, in each instance, strike the first comma and substitute “**and**”; and in the same lines, in each instance, strike “, and accounts”.

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On page 7, in lines 16, 19, 23, and 28, in each instance, strike the bracket; in the same lines, in each instance, strike “,”; in the same lines, in each instance, strike “AND ACCOUNTS”; and in lines 33 and 35, in each instance, strike “BOOKS, RECORDS, AND ACCOUNTS” and substitute “BOOKS AND RECORDS”.

On page 8, in lines 12, 16, and 34, in each instance, strike the bracket; in the same lines, in each instance, strike “,”; and in the same lines, in each instance, strike “AND ACCOUNTS”.

On page 9, in lines 2 and 9, in each instance, strike the bracket; in lines 2, 9, and 10, in each instance, strike “,”; in lines 2 and 10, in each instance, strike “AND ACCOUNTS”.

On page 11, in line 8, in each instance, strike the bracket; in lines 8 and 9, in each instance, strike “,”; and in line 9, strike “AND ACCOUNTS”.

On page 14, strike beginning with “BOOKS” in line 19 down through “ACCOUNTS” in line 20 and substitute “BOOKS AND RECORDS”; in lines 22 and 24, in each instance, strike “BOOKS, RECORDS, AND ACCOUNTS” and substitute “BOOKS AND RECORDS”; in lines 27 and 31, in each instance, strike the bracket; in the same lines, in each instance, strike “,”; and in the same lines, in each instance, strike “AND ACCOUNTS”.

On page 15, in line 1, strike the brackets; in line 13, strike the second set of brackets; in lines 1 and 13, in each instance, strike “,”; and in the same lines, in each instance, strike “AND ACCOUNTS”.

AMENDMENT NO. 4

On page 3, in line 19, strike “governing body” and substitute “BOARD OF DIRECTORS”.

On page 9, in line 30, strike “GOVERNING BODY” and substitute “BOARD OF DIRECTORS”.

On page 10, in lines 4, 8, and 12, in each instance, strike “GOVERNING BODY” and substitute “BOARD OF DIRECTORS”.

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On page 12, in lines 14 and 21, in each instance, strike “GOVERNING BODY” and substitute “BOARD OF DIRECTORS”.

On page 13, in line 17, strike “governing body” and substitute “BOARD OF DIRECTORS”.