

# SENATE BILL 428

N1, L2

0lr1385  
CF HB 482

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By: **Charles County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Southern Maryland – Homeowners Association Commission – Alternative**  
3 **Dispute Resolution Authority**

4 FOR the purpose of expanding the authority of certain homeowners association  
5 commissions in Calvert County, Charles County, and St. Mary’s County to hear and  
6 resolve through alternative dispute resolution certain issues between a homeowners  
7 association and a homeowner regarding certain documents; defining a certain term;  
8 and generally relating to homeowners associations in Southern Maryland.

9 BY repealing and reenacting, with amendments,  
10 Article – Real Property  
11 Section 11B–104(c)  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Real Property  
16 Section 11B–116(a)  
17 Annotated Code of Maryland  
18 (2015 Replacement Volume and 2019 Supplement)

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

21 **Article – Real Property**

22 11B–104.

23 (c) (1) IN THIS SUBSECTION, “GOVERNING DOCUMENT” HAS THE  
24 MEANING STATED IN § 11B–116(A) OF THIS SUBTITLE.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2)** Subject to the provisions of this title, a code home rule county located  
2 in the Southern Maryland class, as identified in § 9–302 of the Local Government Article,  
3 may establish a homeowners association commission with the authority to hear and resolve  
4 disputes between a homeowners association and a homeowner regarding the enforcement  
5 of the [recorded covenants or restrictions] **GOVERNING DOCUMENTS** of the homeowners  
6 association by providing alternative dispute resolution services, including binding  
7 arbitration.

8 11B–116.

9           (a) (1) In this section the following words have the meanings indicated.

10           (2) “Governing document” includes:

11                   (i) A declaration;

12                   (ii) Bylaws;

13                   (iii) A deed and agreement; and

14                   (iv) Recorded covenants and restrictions.

15           (3) “In good standing” means not being more than 90 days in arrears in the  
16 payment of any assessment or charge due to the homeowners association.

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2020.