
By: **Delegates Bozman, Conway, and McClenahan**
Introduced and read first time: January 28, 2002
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Time-Shares - Termination**

3 FOR the purpose of authorizing an association of time-share owners to amend its
4 time-share instrument to prevent termination of time-shares in a project as set
5 forth in a time-share instrument; authorizing an association to provide that
6 time-share owners shall continue to own, use, enjoy, and retain certain rights in
7 their time-shares after the termination date set forth in the time-share
8 instrument; providing for the transfer of certain rights and duties; providing
9 that the provisions of this Act apply even if certain time-share owners have or
10 will become owners as tenants in common of a time-share unit or project;
11 requiring an association to provide a certain notice; and generally relating to
12 termination dates of time-shares.

13 BY adding to
14 Article - Real Property
15 Section 11A-108.1
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2001 Supplement)

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

20 **Article - Real Property**

21 11A-108.1.

22 (A) AN ASSOCIATION BY A TWO-THIRDS MAJORITY VOTE OF THE MEMBERS
23 PRESENT AT ANY REGULAR OR SPECIAL MEETING MAY AMEND ITS TIME-SHARE
24 INSTRUMENT TO PROVIDE THAT THE TIME-SHARES IN A TIME-SHARE PROJECT WILL
25 NOT TERMINATE AT THE END OF THE TERM OF THE TIME-SHARE PLAN AS PROVIDED
26 IN § 11A-108 OF THIS TITLE.

27 (B) IN DETERMINING THAT THE TIME-SHARES WILL NOT TERMINATE AT THE
28 END OF THE TERM OF THE TIME-SHARE PLAN, AN ASSOCIATION MAY:

1 (1) ESTABLISH A LATER TERMINATION DATE OR DECIDE THAT THERE
2 WILL BE NO TERMINATION DATE; AND

3 (2) PROVIDE THAT ON OR AFTER THE ORIGINAL TERMINATION DATE AS
4 SET FORTH IN THE TIME-SHARE INSTRUMENT, A TIME-SHARE OWNER SHALL
5 CONTINUE TO:

6 (I) HAVE EXCLUSIVE RIGHTS TO USE, OCCUPY, SELL, CONVEY,
7 ASSIGN, MORTGAGE, EXCHANGE, OR PASS BY WILL OR INHERITANCE, ANY
8 TIME-SHARES OWNED BY THE PERSON;

9 (II) USE AND ENJOY ALL THE COMMON ELEMENTS OF THE
10 TIME-SHARE PROJECT; AND

11 (III) HAVE THE PREVIOUSLY EXISTING RIGHTS AND DUTIES IN THE
12 ASSOCIATION INCLUDING THE RIGHT TO VOTE AND THE DUTY TO PAY CHARGES AND
13 ASSESSMENTS.

14 (C) A PERSON TO WHOM A TIME-SHARE IS TRANSFERRED BY SALE,
15 CONVEYANCE, ASSIGNMENT, MORTGAGE, DEVISE, BEQUEST, OR INHERITANCE
16 SHALL HAVE THE RIGHTS AND DUTIES OF THE PERSON FROM WHOM THE
17 TIME-SHARE WAS TRANSFERRED.

18 (D) THE PROVISIONS OF THIS SECTION APPLY EVEN IF, UNDER THE TERMS OF
19 A TIME-SHARE DEED OR TIME-SHARE INSTRUMENT, THE TIME-SHARE OWNERS
20 HAVE OR WILL BECOME OWNERS AS TENANTS IN COMMON OF A TIME-SHARE UNIT
21 OR PROJECT.

22 (E) AN ASSOCIATION MAY NOT TAKE AN ACTION PROVIDED FOR IN
23 SUBSECTION (A) OF THIS SECTION UNLESS THE NOTICE OF THE MEETING SENT TO
24 THE TIME-SHARE OWNERS EXPRESSLY STATES THAT THE ACTION MAY BE
25 CONSIDERED AT THE MEETING.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2002.