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

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Committee Report: Favorable  
House action: Adopted  
Read second time: February 19, 2002

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CHAPTER \_\_\_\_\_

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

1 INSTRUMENT TO PROVIDE THAT THE TIME-SHARES IN A TIME-SHARE PROJECT WILL  
2 NOT TERMINATE AT THE END OF THE TERM OF THE TIME-SHARE PLAN AS PROVIDED  
3 IN § 11A-108 OF THIS TITLE.

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

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

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

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

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

16 (III) HAVE THE PREVIOUSLY EXISTING RIGHTS AND DUTIES IN THE  
17 ASSOCIATION INCLUDING THE RIGHT TO VOTE AND THE DUTY TO PAY CHARGES AND  
18 ASSESSMENTS.

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

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

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

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

