

# SENATE BILL 101

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8lr0834  
CF HB 1129

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By: **Senator Gladden**

Introduced and read first time: January 16, 2008

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Real Property – Homeowners Associations – Amendment of**  
3 **Governing Documents**

4 FOR the purpose of authorizing the governing documents of ~~a~~ certain homeowners  
5 ~~association~~ associations to be amended by a certain percentage of votes and at a  
6 certain frequency, unless the governing document provides for a lower  
7 percentage and a greater frequency; defining a certain term; and generally  
8 relating to amendment of the governing documents of a homeowners  
9 association.

10 BY renumbering

11 Article – Real Property

12 Section 11B–116

13 to be Section 11B–117

14 Annotated Code of Maryland

15 (2003 Replacement Volume and 2007 Supplement)

16 BY adding to

17 Article – Real Property

18 Section 11B–116

19 Annotated Code of Maryland

20 (2003 Replacement Volume and 2007 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That Section(s) 11B–116 of Article – Real Property of the Annotated  
23 Code of Maryland be renumbered to be Section(s) 11B–117.

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**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 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
2 read as follows:

3 **Article – Real Property**

4 **11B–116.**

5 (A) IN THIS SECTION, “GOVERNING DOCUMENT” INCLUDES:

6 (1) A DECLARATION;

7 (2) BYLAWS;

8 (3) A DEED AND AGREEMENT; AND

9 (4) RECORDED COVENANTS AND RESTRICTIONS.

10 (B) NOTWITHSTANDING THE PROVISIONS OF A GOVERNING DOCUMENT,  
11 A HOMEOWNERS ASSOCIATION CREATED BEFORE JANUARY 1, 1960, MAY AMEND  
12 THE GOVERNING DOCUMENT:

13 (1) UNLESS A LOWER PERCENTAGE IS REQUIRED IN THE  
14 GOVERNING DOCUMENT, BY THE AFFIRMATIVE VOTE OF LOT OWNERS HAVING  
15 AT LEAST TWO–THIRDS OF THE VOTES IN THE DEVELOPMENT; AND

16 (2) UNLESS A GREATER FREQUENCY IS ALLOWED BY THE  
17 GOVERNING DOCUMENT, AT LEAST ONCE EVERY 5 YEARS.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2008.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.