

HOUSE BILL 679

N1

1lr2115

By: **Delegate Stein**

Introduced and read first time: February 9, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Condominiums – Amendment to Bylaws to Require Unit**
3 **Insurance Coverage**

4 FOR the purpose of authorizing the council of unit owners of a condominium to amend
5 the bylaws of the condominium, by a certain majority, to require all unit owners
6 to maintain condominium unit owner insurance policies on their units; and
7 generally relating to condominiums and insurance coverage.

8 BY repealing and reenacting, without amendments,
9 Article – Real Property
10 Section 11–104(a) and (c)
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Real Property
15 Section 11–104(e)(2)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2010 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 11–104.

22 (a) The administration of every condominium shall be governed by bylaws
23 which shall be recorded with the declaration. If the council of unit owners is
24 incorporated, these bylaws shall be the bylaws of that corporation.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The bylaws also may contain any other provision regarding the
2 management and operation of the condominium including any restriction on or
3 requirement respecting the use and maintenance of the units and the common
4 elements.

5 (e) (2) (I) [Unless] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)**
6 **OF THIS PARAGRAPH, UNLESS** a higher percentage is required in the bylaws, the
7 bylaws may be amended by the affirmative vote of unit owners having at least 66 2/3
8 percent of the votes in the council of unit owners.

9 (II) **THE BYLAWS MAY BE AMENDED BY THE AFFIRMATIVE**
10 **VOTE OF UNIT OWNERS HAVING AT LEAST 51% OF THE VOTES IN THE COUNCIL**
11 **OF UNIT OWNERS FOR THE PURPOSE OF REQUIRING ALL UNIT OWNERS TO**
12 **MAINTAIN CONDOMINIUM UNIT OWNER INSURANCE POLICIES ON THEIR UNITS.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2011.