

HB0076/690015/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 76  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Act;” insert “providing a certain exception to the application of the dispute settlement mechanism established under this Act if the condominium declaration or bylaws or homeowners association declaration, bylaws, or other documents meet certain requirements;”; in line 8, after “violation;” insert “authorizing a certain alleged violator to request a certain hearing before the governing body of a homeowners association;”.

AMENDMENT NO. 2

On page 2, in line 2, after “(a)” insert “**(1)**”; in the same line, in each instance, strike the bracket; in the same line, strike “state otherwise” and substitute “**OF A CONDOMINIUM MEET THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION**”; in the same line, strike “**THE**”; and after line 4, insert:

**“(2) THE DISPUTE SETTLEMENT MECHANISM PROVIDED BY THIS SECTION DOES NOT APPLY IF THE DECLARATION OR BYLAWS OF THE CONDOMINIUM PROVIDE FOR A DISPUTE RESOLUTION PROCESS THAT INCLUDES:**

**(i) NOTICE TO THE UNIT OWNER OR OCCUPANT BEFORE THE IMPOSITION OF ANY PENALTY OR SANCTION EXPLAINING THE VIOLATION AND THE ACTION REQUIRED TO ABATE THE VIOLATION; AND**

**(ii) AN OPPORTUNITY FOR A HEARING BEFORE A SANCTION OR PENALTY IS IMPOSED.**”.

(Over)

On page 3, in line 24, strike “**THE**” and substitute “**(1) UNLESS THE DECLARATION, BYLAWS, OR OTHER DOCUMENTS OF A HOMEOWNERS ASSOCIATION MEET THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 26, insert:

**“(2) THE DISPUTE SETTLEMENT MECHANISM PROVIDED BY THIS SECTION DOES NOT APPLY IF THE DECLARATION, BYLAWS, OR OTHER DOCUMENTS OF THE HOMEOWNERS ASSOCIATION PROVIDE FOR A DISPUTE RESOLUTION PROCESS THAT INCLUDES:**

**(I) NOTICE TO THE LOT OWNER OR OCCUPANT BEFORE THE IMPOSITION OF ANY PENALTY OR SANCTION EXPLAINING THE VIOLATION AND THE ACTION REQUIRED TO ABATE THE VIOLATION; AND**

**(II) AN OPPORTUNITY FOR A HEARING BEFORE A SANCTION OR PENALTY IS IMPOSED.”.**

**AMENDMENT NO. 3**

On page 2, in line 23, after “violation” insert “**AND THE ACTION REQUIRED TO ABATE THE VIOLATION**”.

On page 4, in line 8, after “AND” insert “**THE OPPORTUNITY FOR A**”; in line 13, strike “OF” and substitute “**THAT THE ALLEGED VIOLATOR HAS THE RIGHT TO**”; in line 16, after “VIOLATION” insert “**AND THE ACTION REQUIRED TO ABATE THE VIOLATION**”; in line 17, after “HEARING,” insert “**IF A HEARING IS REQUESTED BY THE ALLEGED VIOLATOR,**”; and in line 23, strike “A” and substitute “**IF REQUESTED BY THE ALLEGED VIOLATOR, A**”.

On page 5, in line 11, after “HEARING” insert “**, IF HELD,**”.