

HB1061/970314/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1061
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Taxation;” insert “exempting certain common ownership communities from the applicability of this Act; establishing a Common Ownership Community Registry in the Department;”; in line 8, after “Assembly;” insert “establishing that the Registry is not a public record subject to the Public Information Act; providing that the Department may authorize access to the Registry only to certain persons;”; and in line 19, strike “14-605” and substitute “14-607”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“(D) “REGISTRY” MEANS THE COMMON OWNERSHIP COMMUNITY REGISTRY.”

AMENDMENT NO. 3

On page 2, after line 27, insert:

“THIS SUBTITLE DOES NOT APPLY TO:

(1) (I) A COOPERATIVE HOUSING CORPORATION UNTIL 1 YEAR AFTER THE FIRST INITIAL SALE OF A COOPERATIVE INTEREST IN THE COOPERATIVE HOUSING CORPORATION;

(II) A CONDOMINIUM UNTIL 1 YEAR AFTER THE DEVELOPER HAS RECORDED THE DECLARATION FOR THE CONDOMINIUM IN THE LAND RECORDS OF THE COUNTY IN WHICH THE CONDOMINIUM IS LOCATED; AND

(Over)

(iii) A HOMEOWNERS ASSOCIATION UNTIL 1 YEAR AFTER THE DECLARANT HAS RECORDED THE DECLARATION FOR THE HOMEOWNERS ASSOCIATION IN THE LAND RECORDS OF THE COUNTY IN WHICH THE HOMEOWNERS ASSOCIATION IS LOCATED; AND

(2) A HOMEOWNERS ASSOCIATION, OR A VILLAGE COMMUNITY ASSOCIATION AFFILIATED WITH THE HOMEOWNERS ASSOCIATION, THAT MANAGES MORE THAN 3,000 ACRES OF OPEN SPACE LAND AND MORE THAN 20,000 LOTS.

14-603.”.

On page 3, in line 1, after “(A)” insert “THERE IS A COMMON OWNERSHIP COMMUNITY REGISTRY IN THE DEPARTMENT.

(B)”;

in line 4, strike “(B)” and substitute “(C)”; and in line 6, strike “14-603.” and substitute “14-604.”.

On page 4, in lines 2 and 9, strike “14-604.” and “14-605.”, respectively, and substitute “14-605.” and “14-606.”, respectively.

AMENDMENT NO.4

On page 3, in line 7, after “FEE” insert “FOR A COMMON OWNERSHIP COMMUNITY”; in line 20, after the semicolon insert “AND”; and strike in their entirety lines 24 through 29, inclusive.

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On page 4, in line 1, strike “**(8)**” and substitute “**(5)**”; in the same line, after “**INFORMATION**” insert “**RELEVANT TO THE REGISTRATION**”; and in line 7, strike “**10**” and substitute “**30**”.

AMENDMENT NO. 5

On page 4, after line 13, insert:

“14-607.

(A) THE REGISTRY:

(1) IS NOT A PUBLIC RECORD AS DEFINED BY § 4-101 OF THE GENERAL PROVISIONS ARTICLE; AND

(2) IS NOT SUBJECT TO TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.

(B) THE DEPARTMENT MAY AUTHORIZE ACCESS TO THE REGISTRY ONLY TO LOCAL JURISDICTIONS, THEIR AGENCIES, AND REPRESENTATIVES AND STATE AGENCIES.

(C) NOTWITHSTANDING SUBSECTIONS (A) AND (B) OF THIS SECTION, THE DEPARTMENT OR A LOCAL JURISDICTION MAY PROVIDE INFORMATION FOR A SPECIFIC COMMON OWNERSHIP COMMUNITY IN THE REGISTRY TO:

(1) A PERSON WHO OWNS PROPERTY IN THE COMMON OWNERSHIP COMMUNITY; OR

(Over)

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(2) THE GOVERNING BODY OR PROPERTY MANAGER OF, OR THE ATTORNEY REPRESENTING, ANOTHER REGISTERED COMMON OWNERSHIP COMMUNITY.