

HOUSE BILL 117

N1, C1

(PRE-FILED)

2lr0975
CF 2lr0830

By: **Delegate Stewart**

Requested: October 27, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Cooperative Housing Corporations and Condominium Associations – Evidence**
3 **of Insurance**

4 FOR the purpose of authorizing a cooperative housing corporation to require in the
5 cooperative housing corporation's governing documents that a member maintain a
6 certain insurance policy and requiring a governing document that contains such a
7 provision to also require that the member provide evidence of the coverage to the
8 governing body of the cooperative housing corporation on request; requiring that
9 bylaws of a condominium association requiring each unit owner to maintain certain
10 insurance coverage also require that a unit owner provide evidence of the insurance
11 coverage to the council of unit owners on request; and generally relating to
12 cooperative housing corporations and condominium associations.

13 BY renumbering

14 Article – Corporations and Associations
15 Section 5–6B–32 and 5–6B–33, respectively
16 to be Section 5–6B–33 and 5–6B–34, respectively
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2021 Supplement)

19 BY adding to

20 Article – Corporations and Associations
21 Section 5–6B–32
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2021 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Real Property
26 Section 11–114.2
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2015 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5-6B-32 and 5-6B-33, respectively, of Article – Corporations and Associations of the Annotated Code of Maryland be renumbered to be Sections 5-6B-33 and 5-6B-34, respectively.

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

Article – Corporations and Associations

5-6B-32.

(A) THE ARTICLES OF INCORPORATION, BYLAWS, OR REGULATIONS OF A COOPERATIVE HOUSING CORPORATION MAY REQUIRE EACH MEMBER TO MAINTAIN A COOPERATIVE HOUSING CORPORATION MEMBER INSURANCE POLICY ON THE MEMBER'S UNIT.

(B) ARTICLES OF INCORPORATION, BYLAWS, OR REGULATIONS THAT INCLUDE A REQUIREMENT DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL ALSO REQUIRE EACH MEMBER TO PROVIDE EVIDENCE OF INSURANCE COVERAGE TO THE GOVERNING BODY OF THE COOPERATIVE HOUSING CORPORATION ON REQUEST OF THE GOVERNING BODY.

Article – Real Property

11-114.2.

(a) The bylaws of a condominium may require each unit owner to maintain a condominium unit owner insurance policy on the unit.

(b) Bylaws that require each unit owner to maintain unit owner insurance also shall require each unit owner to provide evidence of the insurance coverage to the council of unit owners [annually]:

(1) ANNUALLY; AND

(2) ON REQUEST OF THE COUNCIL OF UNIT OWNERS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.