

HOUSE BILL 1600

N1

6lr3697
CF SB 919

By: **Delegate Fair**

Introduced and read first time: February 16, 2026

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Homeowners Associations – Reserve Funding, Meeting Notices, Voting, and**
3 **Records**

4 FOR the purpose of requiring certain books and records kept by or on behalf of certain
5 homeowners associations to be posted on the homeowners association website, online
6 portal, or mobile device application; clarifying that a governing body of a
7 homeowners association may secure a line of credit or loan to fund certain reserves
8 under certain circumstances; requiring that certain homeowners associations
9 provide certain notice of a meeting by electronic transmission; requiring that a
10 governing body of a homeowners association hold a meeting to permit voting by
11 electronic transmission under certain circumstances; and generally relating to
12 reserve funding, meeting, notices, voting, and records.

13 BY repealing and reenacting, with amendments,
14 Article – Real Property
15 Section 11B–112(a), 11B–112.3(f), 11B–113.1, 11B–113.2, and 11B–113.6(a)
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2025 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Real Property**

21 11B–112.

22 (a) (1) (i) Subject to the provisions of paragraph (2) of this subsection, all
23 books and records kept by or on behalf of the homeowners association shall be made
24 available for examination or copying, or both, by a lot owner, a lot owner's mortgagee, or
25 their respective duly authorized agents or attorneys, during normal business hours, and
26 after reasonable notice.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Books and records required to be made available under
2 subparagraph (i) of this paragraph shall first be made available to a lot owner no later than
3 15 business days after a lot is conveyed by the declarant and the lot owner requests to
4 examine or copy the books and records.

5 (iii) If a lot owner requests in writing a copy of financial statements
6 of the homeowners association or the minutes of a meeting of the governing body of the
7 homeowners association to be delivered, the governing body of the homeowners association
8 shall compile and send the requested information by mail, electronic transmission, or
9 personal delivery:

10 1. Within 21 days after receipt of the written request, if the
11 financial statements or minutes were prepared within the 3 years immediately preceding
12 receipt of the request; or

13 2. Within 45 days after receipt of the written request, if the
14 financial statements or minutes were prepared more than 3 years before receipt of the
15 request.

16 (2) Books and records kept by or on behalf of a homeowners association
17 may be withheld from public inspection, except for inspection by the person who is the
18 subject of the record or the person's designee or guardian, to the extent that they concern:

19 (i) Personnel records, not including information on individual
20 salaries, wages, bonuses, and other compensation paid to employees;

21 (ii) An individual's medical records;

22 (iii) An individual's personal financial records, including assets,
23 income, liabilities, net worth, bank balances, financial history or activities, and
24 creditworthiness;

25 (iv) Records relating to business transactions that are currently in
26 negotiation;

27 (v) The written advice of legal counsel; or

28 (vi) Minutes of a closed meeting of the governing body of the
29 homeowners association, unless a majority of a quorum of the governing body of the
30 homeowners association that held the meeting approves unsealing the minutes or a
31 recording of the minutes for public inspection.

32 **(3) (I) THIS PARAGRAPH APPLIES ONLY TO A HOMEOWNERS**
33 **ASSOCIATION WITH AT LEAST 100 LOTS.**

1 **(II) WITHIN 30 DAYS AFTER CREATION OR RECEIPT, AND**
2 **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FOLLOWING BOOKS AND**
3 **OTHER RECORDS KEPT BY OR ON BEHALF OF A HOMEOWNERS ASSOCIATION SHALL**
4 **BE POSTED ON THE HOMEOWNERS ASSOCIATION’S WEBSITE, ONLINE PORTAL, OR**
5 **MOBILE DEVICE APPLICATION:**

6 **1. THE DECLARATION AND ANY AMENDMENTS TO THE**
7 **DECLARATION;**

8 **2. THE BYLAWS AND ANY AMENDMENTS TO THE BYLAWS;**

9 **3. THE ARTICLES OF INCORPORATION OF THE**
10 **HOMEOWNERS ASSOCIATION OR OTHER DOCUMENTS CREATING THE HOMEOWNERS**
11 **ASSOCIATION AND EACH AMENDMENT TO THE ARTICLES OF INCORPORATION OR**
12 **OTHER DOCUMENTS;**

13 **4. THE POLICIES, RULES, AND REGULATIONS OF THE**
14 **HOMEOWNERS ASSOCIATION;**

15 **5. THE APPROVED MINUTES OF ALL OPEN MEETINGS OF**
16 **THE BOARD OF DIRECTORS OR GOVERNING BODY OF THE HOMEOWNERS**
17 **ASSOCIATION FOR THE PRECEDING 5 YEARS;**

18 **6. THE RECORDING OF ALL MEETINGS OF THE**
19 **HOMEOWNERS ASSOCIATION, THE BOARD OF DIRECTORS OR GOVERNING BODY, OR**
20 **A COMMITTEE OF THE HOMEOWNERS ASSOCIATION THAT ARE CONDUCTED BY**
21 **TELEPHONE CONFERENCE, VIDEO CONFERENCE, OR SIMILAR ELECTRONIC MEANS**
22 **OVER THE PRECEDING 12 MONTHS;**

23 **7. ALL WRITTEN INFORMATION PROVIDED TO OR USED**
24 **BY THE BOARD OF DIRECTORS OR GOVERNING BODY AT ALL OPEN MEETINGS OF THE**
25 **BOARD OF DIRECTORS OR GOVERNING BODY OF THE HOMEOWNERS ASSOCIATION;**
26 **AND**

27 **8. ALL BOOKS AND RECORDS KEPT BY OR ON BEHALF OF**
28 **THE HOMEOWNERS ASSOCIATION THAT MAY BE REASONABLY REQUESTED FOR**
29 **POSTING BY A LOT OWNER WHEN THE RECORDS WOULD OTHERWISE BE AVAILABLE**
30 **TO THE LOT OWNER UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

31 **(III) A HOMEOWNERS ASSOCIATION THAT DOES NOT USE A**
32 **WEBSITE, ONLINE PORTAL, OR MOBILE DEVICE APPLICATION SHALL DEVELOP A**
33 **WEBSITE, ONLINE PORTAL, OR MOBILE DEVICE APPLICATION THAT IS CAPABLE OF**

1 **STORING THE BOOKS AND RECORDS REQUIRED TO BE POSTED UNDER**
2 **SUBPARAGRAPH (II) OF THIS PARAGRAPH.**

3 **(IV) THE WEBSITE, ONLINE PORTAL, OR MOBILE DEVICE**
4 **APPLICATION DEVELOPED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH MUST**
5 **BE MADE ACCESSIBLE TO THE LOT OWNERS:**

6 **1. FOR A HOMEOWNERS ASSOCIATION ESTABLISHED ON**
7 **OR BEFORE OCTOBER 1, 2026, BY OCTOBER 1, 2027; OR**

8 **2. FOR A HOMEOWNERS ASSOCIATION ESTABLISHED**
9 **AFTER OCTOBER 1, 2026, WITHIN 1 YEAR AFTER THE ELECTION OF A GOVERNING**
10 **BODY OF THE HOMEOWNERS ASSOCIATION REQUIRED UNDER § 11B-106.1 OF THIS**
11 **TITLE.**

12 11B-112.3.

13 (f) (1) The governing body of a homeowners association shall, in consultation
14 with a person identified under subsection (e)(1) of this section, develop a funding plan to
15 determine how to fund the reserves necessary under this section.

16 (2) In developing the funding plan under this subsection, the governing
17 body shall select one of the following methods to achieve the reserve funding under this
18 section:

19 (i) The component method;

20 (ii) The cash flow method;

21 (iii) The baseline funding method;

22 (iv) The threshold cash flow method; or

23 (v) Any other funding method consistent with generally accepted
24 accounting principles.

25 (3) A funding plan developed under this subsection shall prioritize
26 adequate amounts for repair and replacement of common areas of the homeowners
27 association that are necessary for:

28 (i) The health, safety, and well-being of the occupants;

29 (ii) Ensuring structural integrity, such as roofing replacements and
30 maintaining structural systems;

1 (iii) Essential functioning, such as plumbing, sewer, heating, cooling,
2 and electrical infrastructure; and

3 (iv) Any other essential or critical purpose, as determined by the
4 governing body.

5 (4) Reserves may be used for purposes other than those specified in the
6 funding plan if the funds are repaid to the reserve fund within 5 years after their use.

7 (5) A governing body of a homeowners association shall review progress
8 toward compliance with the funding plan developed under this subsection at each annual
9 meeting of the homeowners association.

10 **(6) A GOVERNING BODY OF A HOMEOWNERS ASSOCIATION MAY**
11 **SECURE A LINE OF CREDIT OR LOAN TO FUND THE RESERVES NECESSARY UNDER**
12 **THIS SECTION BY A VOTE OF LOT OWNERS IN GOOD STANDING HAVING AT LEAST 51%**
13 **OF THE VOTES IN THE DEVELOPMENT.**

14 11B-113.1.

15 (a) Notwithstanding language contained in the governing documents of a
16 homeowners association, the homeowners association [may] **SHALL** provide notice of a
17 meeting or deliver information to a lot owner by electronic transmission if:

18 (1) [The board of directors or other governing body of the homeowners
19 association gives the homeowners association the authority to provide notice of a meeting
20 or deliver information by electronic transmission;

21 (2)] The lot owner gives the homeowners association prior written
22 authorization to provide notice of a meeting or deliver information by electronic
23 transmission; and

24 **[(3)] (2)** An officer or agent of the homeowners association certifies in
25 writing that the homeowners association has provided notice of a meeting or delivered
26 material or information as authorized by the lot owner.

27 **(B) NOTICE OF A MEETING DELIVERED BY ELECTRONIC TRANSMISSION**
28 **SHALL BE GIVEN AT LEAST 14 DAYS BEFORE THE MEETING AND INCLUDE:**

29 **(1) THE TIME OF THE MEETING;**

30 **(2) FOR A MEETING HELD IN PERSON, THE LOCATION OF THE**
31 **MEETING; AND**

1 **(3) FOR A MEETING HELD VIRTUALLY, INSTRUCTIONS ON HOW A LOT**
2 **OWNER MAY PARTICIPATE, INCLUDING A HYPERLINK OR CALL-IN NUMBER.**

3 **[(b)] (C)** Notice or delivery by electronic transmission shall be considered
4 ineffective if:

5 (1) The homeowners association is unable to deliver two consecutive
6 notices; and

7 (2) The inability to deliver the electronic transmission becomes known to
8 the person responsible for sending the electronic transmission.

9 **[(c)] (D)** The inadvertent failure to deliver notice by electronic transmission **IN**
10 **ACCORDANCE WITH THIS SECTION** does not invalidate any meeting or other action.

11 11B-113.2.

12 (a) **(1)** Notwithstanding language contained in the governing documents of the
13 homeowners association, the board of directors or other governing body of the homeowners
14 association may authorize lot owners to submit a vote or proxy by electronic transmission
15 if the electronic transmission contains information that verifies that the vote or proxy is
16 authorized by the lot owner or the lot owner's proxy.

17 **(2) (I) LOT OWNERS MAY PETITION THE BOARD OF DIRECTORS OR**
18 **GOVERNING BODY TO HOLD A MEETING TO AMEND THE GOVERNING DOCUMENTS OF**
19 **A HOMEOWNERS ASSOCIATION TO AUTHORIZE VOTING BY ELECTRONIC**
20 **TRANSMISSION IF AT LEAST 25% OF THE ELIGIBLE VOTING MEMBERS OF THE**
21 **HOMEOWNERS ASSOCIATION SUBMIT A PETITION TO THE BOARD OF DIRECTORS OR**
22 **GOVERNING BODY.**

23 **(II) A PETITION DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS**
24 **PARAGRAPH MUST BE SUBMITTED TO THE BOARD OF DIRECTORS OR GOVERNING**
25 **BODY NOT LATER THAN 180 DAYS AFTER THE NEXT SCHEDULED ANNUAL MEETING.**

26 **(III) A MEETING TO AMEND THE GOVERNING DOCUMENTS OF A**
27 **HOMEOWNERS ASSOCIATION UNDER THIS PARAGRAPH SHALL:**

28 **1. BE HELD NOT LATER THAN 21 DAYS AFTER RECEIPT**
29 **OF A PETITION BY THE BOARD OF DIRECTORS OR GOVERNING BODY; AND**

30 **2. SATISFY APPLICABLE REQUIREMENTS FOR A**
31 **MEETING AND VOTE TO AMEND THE GOVERNING DOCUMENTS OF THE HOMEOWNERS**
32 **ASSOCIATION.**

1 (b) If the governing documents of the homeowners association require voting by
2 secret ballot and the anonymity of voting by electronic transmission cannot be guaranteed,
3 voting by electronic transmission shall be permitted if lot owners have the option of casting
4 anonymous printed ballots.

5 11B-113.6.

6 (a) (1) Notwithstanding language contained in the governing documents of the
7 homeowners association, the governing body may authorize meetings of the homeowners
8 association, the governing body, or a committee of the homeowners association to be
9 conducted or attended by telephone conference, video conference, or similar electronic
10 means.

11 (2) If a meeting is conducted by telephone conference, video conference, or
12 similar electronic means, the equipment or system used must permit any lot owner, board
13 member, or committee member in attendance to hear and be heard by all others
14 participating in the meeting.

15 (3) A link or instructions on how to access the meeting by telephone
16 conference, video conference, or similar electronic means shall be included in the notice of
17 the meeting.

18 (4) No specific authorization from lot owners shall be required to hold a
19 meeting electronically.

20 **(5) A RECORDING OF A MEETING CONDUCTED BY TELEPHONE**
21 **CONFERENCE, VIDEO CONFERENCE, OR SIMILAR ELECTRONIC MEANS SHALL BE**
22 **KEPT AS AN OFFICIAL RECORD OF THE HOMEOWNERS ASSOCIATION IN**
23 **ACCORDANCE WITH § 11B-112 OF THIS TITLE.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2026.