

SENATE BILL 573

N1
SB 728/25 – JPR

6lr3286
CF HB 913

By: **Charles County Senators**

Introduced and read first time: February 4, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Governing Bodies of Common Ownership Communities –**
3 **Member Training**

4 FOR the purpose of requiring each member of a board of directors or officer of a council of
5 unit owners of a condominium in Charles County and each member of a governing
6 body of a homeowners association in Charles County to successfully complete a
7 certain training curriculum in a certain manner and subject to certain requirements;
8 and generally relating to members of governing bodies of condominiums and
9 homeowners associations in Charles County.

10 BY repealing and reenacting, with amendments,
11 Article – Real Property
12 Section 11–109 and 11B–106.1(g)
13 Annotated Code of Maryland
14 (2023 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Real Property
17 Section 11B–106.1(a)
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2025 Supplement)

20 BY adding to
21 Article – Real Property
22 Section 11B–106.1(g)
23 Annotated Code of Maryland
24 (2023 Replacement Volume and 2025 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Real Property

2 11-109.

6 (b) The bylaws may authorize or provide for the delegation of any power of the
7 council of unit owners to a board of directors, officers, managing agent, or other person for
8 the purpose of carrying out the responsibilities of the council of unit owners.

9 (C) (1) **THIS SUBSECTION APPLIES ONLY IN CHARLES COUNTY.**

14 (I) A COMMON OWNERSHIP COMMISSION RECOGNIZED BY THE
15 STATE OR A LOCAL GOVERNMENT; OR

16 (II) AN ORGANIZATION APPROVED TO ADMINISTER THE
17 TRAINING CURRICULUM BY A RECOGNIZED COMMON OWNERSHIP COMMISSION.

22 (1) IS FIRST ELECTED OR APPOINTED TO THE OFFICE; OR

1 **2. RETAIN A COPY OF THE CERTIFICATE OF**
2 **COMPLETION OF EACH MEMBER OR OFFICER; AND**

3 **3. WITHIN 90 DAYS AFTER THE CERTIFICATION OF THE**
4 **MEMBER OR OFFICER, REPORT TO THE COMMON OWNERSHIP COMMISSION ON THE**
5 **CERTIFICATION.**

6 **(II) A CERTIFICATE OF COMPLETION ISSUED UNDER THIS**
7 **PARAGRAPH SHALL BE VALID FOR 3 YEARS.**

8 **(III) AN INDIVIDUAL WHO REMAINS A MEMBER OF THE BOARD OF**
9 **DIRECTORS OR AN OFFICER OF THE COUNCIL OF UNIT OWNERS AT THE TIME THE**
10 **CERTIFICATE EXPIRES SHALL RENEW THE CERTIFICATION BY SUCCESSFULLY**
11 **COMPLETING THE TRAINING REQUIRED UNDER THIS SUBSECTION.**

12 **(5) IF A MEMBER OF THE BOARD OF DIRECTORS OR AN OFFICER OF**
13 **THE COUNCIL OF UNIT OWNERS DOES NOT SUCCESSFULLY COMPLETE THE**
14 **TRAINING REQUIRED UNDER THIS SUBSECTION, THE BOARD OF DIRECTORS OR THE**
15 **COUNCIL OF UNIT OWNERS MAY:**

16 **(I) REMOVE THE INDIVIDUAL FROM THE OFFICE; OR**

17 **(II) INVALIDATE A VOTE OF THE INDIVIDUAL.**

18 **[(c)] (D) (1) A meeting of the council of unit owners or board of directors may**
19 **not be held on less notice than required by this section.**

20 **(2) The council of unit owners shall maintain a current roster of names and**
21 **addresses of each unit owner to which notice of meetings of the board of directors shall be**
22 **sent at least annually.**

23 **(3) Each unit owner shall furnish the council of unit owners with his name**
24 **and current mailing address. A unit owner may not vote at meetings of the council of unit**
25 **owners until this information is furnished.**

26 **(4) A regular or special meeting of the council of unit owners may not be**
27 **held on less than 10 nor more than 90 days':**

28 **(i) Written notice delivered or mailed to each unit owner at the**
29 **address shown on the roster on the date of the notice; or**

30 **(ii) Notice sent to each unit owner by electronic transmission, if the**
31 **requirements of § 11–139.1 of this title are met.**

32 **(5) Notice of special meetings of the board of directors shall be given:**

(6) Except as provided in § 11–109.1 of this title, a meeting of a governing body shall be open and held at a time and location as provided in the notice or bylaws.

16 (iv) The governing body shall convene at least one meeting each year
17 at which the agenda is open to any matter relating to the condominium.

22 (ii) If the number of persons present in person or by proxy at a
23 properly called meeting of the council of unit owners is insufficient to constitute a quorum,
24 an additional meeting of the council of unit owners may be called for the same purpose if:

25 1. The notice of the initial properly called meeting stated:

A. That the procedure authorized by this paragraph might be

B. The date, time, and place of the additional meeting; and

31 (iii) 1. An additional meeting called under subparagraph (ii) of
32 this paragraph shall occur not less than 15 days after the initial properly called meeting.

2. Not less than 10 days before the additional meeting, a separate and distinct notice of the date, time, place, and purpose of the additional meeting called under subparagraph (ii) of this paragraph shall be:

13 (iv) 1. At the additional meeting, the unit owners present in
14 person or by proxy constitute a quorum.

17 A. May approve or authorize the proposed action at the
18 additional meeting; and

19 B. May take any other action that could have been taken at
20 the original meeting if a sufficient number of unit owners had been present.

21 (v) This paragraph may not be construed to affect the percentage of
22 votes required to amend the declaration or bylaws or to take any other action required to
23 be taken by a specified percentage of votes.

28 (10) Any proxy may be revoked at any time at the pleasure of the unit owner
29 or unit owners executing the proxy.

30 (11) A proxy who is not appointed to vote as directed by a unit owner may
31 only be appointed for purposes of meeting quorums and to vote for matters of business
32 before the council of unit owners, other than an election of officers and members of the
33 board of directors.

(12) Only a unit owner voting in person or by electronic transmission if the requirements of § 11-139.2 of this title are met or a proxy voting for candidates designated by a unit owner may vote for officers and members of the board of directors.

(14) Election materials prepared with funds of the council of unit owners shall list candidates in alphabetical order and may not indicate a candidate preference.

(15) Unless otherwise provided in this title, and subject to provisions in the bylaws requiring a different majority, decisions of the council of unit owners shall be made on a majority of votes of the unit owners listed on the current roster present and voting.

25 (ii) 1. Before the date of the meeting held under subparagraph
26 (i) of this paragraph, the developer shall deliver to each unit owner notice that the
27 requirements of subparagraph (i) of this paragraph have been met.

33 (iv) Within 30 days from the date of the meeting held under
34 subparagraph (i) of this paragraph, the developer shall deliver to the officers or board of
35 directors for the council of unit owners, as provided in the condominium declaration or
36 bylaws, at the developer's expense:

1. The documents specified in § 11–132 of this title;
2. The condominium funds, including operating funds, investment accounts, and working capital;
3. The tangible property of the condominium; and
4. A roster of current unit owners, including mailing numbers, and unit numbers, if known.

11 (vi) 1. This subparagraph does not apply to a contract entered
12 into before October 1, 2009.

23 (vii) If the developer fails to comply with the requirements of this
24 paragraph, an aggrieved unit owner may submit the dispute to the Division of Consumer
25 Protection of the Office of the Attorney General under § 11-130(c) of this title.

(17) (i) Elections, including the collection and counting of ballots and the certifying of results, for officers or members of the governing body other than the full membership of the council of unit owners shall be conducted by independent parties who:

29 1. Are not candidates in the election; and

32 (ii) A unit owner is an independent party if the unit owner:

1. Complies with the requirements of this section;

2. Does not electioneer for any candidate; and
3. Is not subject to an objection by more than 25 percent of
ers of the council of unit owners.

Unless property management for a condominium is owned by the
ent association of the condominium, representatives of the
management are not independent parties.

9 (19) Individuals conducting an election shall make reasonable efforts to
10 ensure that the election is fair and that there is accountability for the process and the
11 results of the election.

12 (20) A unit owner designated to conduct an election who acts in good faith
13 is not personally liable in connection with the conduct of the election.

(22) Provisions of the governing documents, rules, or regulations of a condominium relating to the conduct of elections that are inconsistent with the requirements of this section are unenforceable and void.

23 **(d) (E)** The council of unit owners may be either incorporated as a nonstock
24 corporation or unincorporated and it is subject to those provisions of Title 5, Subtitle 2 of
25 the Corporations and Associations Article which are not inconsistent with this title. The
26 council of unit owners has, subject to any provision of this title, and except as provided in
27 item (22) of this subsection, the declaration, and bylaws, the following powers:

(1) To have perpetual existence, subject to the right of the unit owners to terminate the condominium regime as provided in § 11–123 of this title;

30 (2) To adopt and amend reasonable rules and regulations;

(6) To make contracts and guarantees, incur liabilities and borrow money, sell, mortgage, lease, pledge, exchange, convey, transfer, and otherwise dispose of any part of its property and assets:

15 (9) To hire and terminate managing agents and other employees, agents,
16 and independent contractors:

25 (12) To regulate the use, maintenance, repair, replacement, and
26 modification of common elements;

27 (13) To cause additional improvements to be made as a part of the general
28 common elements:

(14) To grant easements, rights-of-way, licenses, leases in excess of 1 year, or similar interests through or over the common elements in accordance with § 11–125(f) of this title;

32 (15) To impose and receive any payments, fees, or charges for the use, rental,
33 or operation of the common elements other than limited common elements:

(16) To impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the council of unit owners, under § 11–113 of this title;

(19) To enforce the implied warranties made to the council of unit owners by the developer under § 11–131 of this title;

(20) To enforce the provisions of this title, the declaration, bylaws, and rules and regulations of the council of unit owners against any unit owner or occupant;

18 (22) To designate parking for individuals with disabilities, notwithstanding
19 any provision in the declaration, bylaws, or rules and regulations.

20 **(e) (F)** A unit owner may not have any right, title, or interest in any property
21 owned by the council of unit owners other than as holder of a percentage interest in common
22 expenses and common profits appurtenant to his unit.

23 **(f) (G)** A unit owner's rights as holder of a percentage interest in common
24 expenses and common profits are such that:

25 (1) A unit owner's right to possess, use, or enjoy property of the council of
26 unit owners shall be as provided in the bylaws; and

27 (2) A unit owner's interest in the property is not assignable or attachable
28 separate from his unit except as provided in §§ 11-107(d) and 11-112(g) of this title.

29 11B=106.1

30 (a) A meeting of the members of the homeowners association to elect a governing
31 body of the homeowners association shall be held within:

32 (1) 60 days from the date that at least 75% of the total number of lots that
33 may be part of the development after all phases are complete are sold to members of the
34 public for residential purposes; or

5 (G) (1) THIS SUBSECTION APPLIES ONLY IN CHARLES COUNTY.

11 (II) AN ORGANIZATION APPROVED TO ADMINISTER THE
12 TRAINING CURRICULUM BY A RECOGNIZED COMMON OWNERSHIP COMMISSION.

16 (I) IS FIRST ELECTED OR APPOINTED TO THE GOVERNING
17 BODY; OR

20 (4) (i) THE GOVERNING BODY SHALL:

28 (II) A CERTIFICATE OF COMPLETION ISSUED UNDER THIS
29 PARAGRAPH SHALL BE VALID FOR 3 YEARS.

5 (5) IF A MEMBER OF THE GOVERNING BODY DOES NOT
6 SUCCESSFULLY COMPLETE THE TRAINING REQUIRED UNDER THIS SUBSECTION,
7 THE GOVERNING BODY MAY:

8 (I) REMOVE THE MEMBER FROM THE GOVERNING BODY; OR

9 (II) INVALIDATE A VOTE OF THE MEMBER.

10 **[g] (h)** If the declarant fails to comply with the requirements of this section, an
11 aggrieved lot owner may submit the dispute to the Division of Consumer Protection of the
12 Office of the Attorney General under § 11B-115(c) of this title.

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