

# SENATE BILL 955

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CF HB 955

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By: **Senator Kagan**

Introduced and read first time: February 8, 2026

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Condominiums and Homeowners Associations – Elections**

3 FOR the purpose of establishing that certain provisions of law requiring that certain  
4 elections in condominiums and homeowners associations be conducted by an  
5 independent party apply only when the number of candidates exceeds the number of  
6 contested seats; and generally relating to elections in condominiums and  
7 homeowners associations.

8 BY repealing and reenacting, with amendments,

9 Article – Real Property

10 Section 11–109(c)(17) and 11B–118(a)

11 Annotated Code of Maryland

12 (2023 Replacement Volume and 2025 Supplement)

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

15 **Article – Real Property**

16 11–109.

17 (c) (17) **(I) THIS PARAGRAPH APPLIES ONLY TO AN ELECTION IN A**  
18 **RESIDENTIAL CONDOMINIUM IN WHICH THE NUMBER OF CANDIDATES EXCEEDS THE**  
19 **NUMBER OF CONTESTED SEATS.**

20 **[i] (II)** Elections, including the collection and counting of ballots  
21 and the certifying of results, for officers or members of the governing body other than the  
22 full membership of the council of unit owners shall be conducted by independent parties  
23 who:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1. Are not candidates in the election; and

2. Do not have a conflict of interest regarding any candidate in the election.

**[(ii)] (III)** 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 the eligible voting members of the council of unit owners.

**[(iii)] (IV)** Unless property management for a condominium is owned by the condominium, or a parent association of the condominium, representatives of the condominium's property management are not independent parties.

11B-118.

**(a) (1) THIS SUBSECTION APPLIES ONLY TO AN ELECTION IN WHICH THE NUMBER OF CANDIDATES EXCEEDS THE NUMBER OF CONTESTED SEATS.**

**[(1)] (2)** Elections for the governing body of a homeowners association, including the collection and counting of ballots and the certifying of results, shall be conducted by independent parties who:

(i) Are not candidates for positions on the governing body of the homeowners association in that election; and

(ii) Do not have a conflict of interest regarding any candidate in the election.

**[(2)] (3)** (i) Unless property management for a homeowners association, or a parent association of the homeowners association, is owned by the homeowners association, representatives of the homeowners association's property management are not independent parties.

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

1. Complies with the requirements of this subsection;

2. Does not electioneer for any candidate; and

3. Is not subject to an objection by more than 25 percent of the eligible voting members of the homeowners association.

1                               (iii)    The homeowners association may retain a third-party vendor or  
2   employ a commercial technology platform to conduct the election.

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