

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 424

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO COMMUNITY RESIDENT ASSOCIATIONS; AMENDING SECTION 55-2013A,
2 IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN NOTICES TO COMMUNITY
3 RESIDENT ASSOCIATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING
4 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 55-2013A, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 55-2013A. COMMUNITY RESIDENT ASSOCIATIONS. (1) The residents in a
10 community have the right to organize a resident or homeowner's associa-
11 tion to further their mutual interest and to conduct any other business and
12 programs ~~which~~ that the association shall determine. Community residents
13 have the right to peacefully assemble and freely associate. Subject to
14 reasonable notice and community facility rules, an association shall have
15 the right to use the facilities of the community to conduct its business and
16 programs including forums for or speeches by public officials or candidates
17 for public office. When an association is organized it shall notify the
18 landlord.

19 (2) A community resident association formed for the purpose of purchas-
20 ing a community may give written notification to the landlord of the associa-
21 tion's interest in purchasing the community.

22 (3) For the purpose of notification, the community resident associa-
23 tion shall provide the names and addresses of the three (3) designated mem-
24 bers or officers of their community association to the landlord annually.

25 (4) A community resident association that has notified the landlord of
26 its interest to purchase the community may request in writing that it be no-
27 tified by the landlord if the owner or agent of the owner ~~enters into a list-~~
28 ~~ing agreement with a licensed real estate broker~~ intends to affect the sale
29 of all or part of the community. The landlord shall provide such notifica-
30 tion to the three (3) members designated under subsection (3) of this section
31 ~~within~~ fifteen (15) days ~~of~~ prior to the owner entering into ~~the listing an~~
32 agreement.

33 (5) This section shall not apply to any of the following:

34 (a) A governmental entity taking by eminent domain;

35 (b) A forced sale pursuant to foreclosure or a deed given in lieu of
36 foreclosure;

37 (c) ~~Transfer~~ A transfer by gift, devise or operation of law;

38 (d) A transfer by a corporation to an affiliate;

39 (e) A conveyance incidental to financing the community;

40 (f) An exchange of the community for other real property;

41 (g) A transfer by a partnership to one (1) or more of its partners;

1 (h) A sale or transfer to a person who would be an heir, or to a trust
2 the beneficiaries of which would be heirs, of the community owner if the
3 community owner were to die intestate.

4 SECTION 2. An emergency existing therefor, which emergency is hereby
5 declared to exist, this act shall be in full force and effect on and after
6 July 1, 2024.