



Reprinted
February 4, 2014

SENATE BILL No. 151

DIGEST OF SB 151 (Updated February 3, 2014 2:45 pm - DI 106)

Citations Affected: IC 32-25.

Synopsis: Condominium unit liens. Provides that a grantee is entitled to a statement from the association, manager, or board of directors of a condominium, setting forth the amount of the unpaid assessments against the grantor, and specifies a procedure for the grantee to obtain a statement of unpaid assessments. Provides that a grantee is not liable for unpaid assessments if the association, manager, or board fails to provide a statement of unpaid assessments within seven days of the grantee's written request.

Effective: July 1, 2014.

Zakas, Tallian

January 8, 2014, read first time and referred to Committee on Civil Law.
January 14, 2014, amended, reported favorably — Do Pass.
January 23, 2014, read second time, ordered engrossed.
January 24, 2014, engrossed.
January 27, 2014, returned to second reading.
February 3, 2014, re-read second time, amended, ordered engrossed.

SB 151—LS 6701/DI 69



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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 151

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 32-25-5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) Except as
3 provided in subsection ~~(b)~~ **(d)**, in a voluntary conveyance, the grantee
4 of a condominium unit is jointly and severally liable with the grantor
5 for all unpaid assessments against the grantor for the grantor's share of
6 the common expenses incurred before the grant or conveyance, without
7 prejudice to the grantee's right to recover from the grantor the amounts
8 of common expenses paid by the grantee.
9 (b) The grantee
10 ~~(1)~~ **(1)** is entitled to a statement from the **association**, manager, or
11 board of directors setting forth the amount of the unpaid
12 assessments against the grantor. ~~and~~
13 ~~(2) is not liable for, nor shall the condominium unit conveyed be~~
14 ~~subject to a lien for, any unpaid assessments against the grantor~~
15 ~~in excess of the amount set forth in the statement.~~
16 **(c) The grantee may obtain the statement of unpaid assessments**

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1 described in subsection (b) by making a written request to the
2 association, manager, or board of directors at:
3 (1) the last address at which the grantor made a payment of
4 the assessments; or
5 (2) the address for the association, manager, or board of
6 directors as listed in the records of the secretary of state.
7 (d) If the association, manager, or board of directors does not
8 provide a statement of unpaid assessments not later than seven (7)
9 business days after receipt of the written request, the:
10 (1) grantee is not liable for; and
11 (2) condominium unit conveyed is not subject to a lien for;
12 any unpaid assessments against the grantor.



COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill No. 151, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 30, after "days" insert "**after the date that the lien was recorded**".

Page 3, line 35, after "years" insert "**after the date that the lien was recorded**".

and when so amended that said bill do pass.

(Reference is to SB 151 as introduced.)

ZAKAS, Chairperson

Committee Vote: Yeas 6, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 151 be amended to read as follows:

Page 1, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 1. IC 32-25-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) Except as provided in subsection ~~(b)~~ **(d)**, in a voluntary conveyance, the grantee of a condominium unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor for the grantor's share of the common expenses incurred before the grant or conveyance, without prejudice to the grantee's right to recover from the grantor the amounts of common expenses paid by the grantee.

(b) The grantee

~~(1)~~ **(1)** is entitled to a statement from the **association**, manager, or board of directors setting forth the amount of the unpaid assessments against the grantor. ~~and~~

~~(2) is not liable for, nor shall the condominium unit conveyed be subject to a lien for, any unpaid assessments against the grantor in excess of the amount set forth in the statement.~~

(c) The grantee may obtain the statement of unpaid assessments described in subsection (b) by making a written request to the association, manager, or board of directors at:

(1) the last address at which the grantor made a payment of

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the assessments; or

(2) the address for the association, manager, or board of directors as listed in the records of the secretary of state.

(d) If the association, manager, or board of directors does not provide a statement of unpaid assessments not later than seven (7) business days after receipt of the written request, the:

(1) grantee is not liable for; and

(2) condominium unit conveyed is not subject to a lien for; any unpaid assessments against the grantor."

Delete pages 2 through 4.

(Reference is to SB 151 as printed January 15, 2014.)

ZAKAS

