

HB0098/113226/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 98
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Mandatory**” insert “**Declarations and**”; in line 3, after “of” insert “exempting certain condominium units from a requirement to include certain information in a declaration;”; in lines 6 and 7, strike “requiring owners of detached units to carry homeowners insurance on the entirety of the unit;”; and in line 11, after “Section” insert “11-103(a)(4) and”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“11-103.

(a) The declaration shall express at least the following particulars:

(4) (i) A general description of the common elements together with a designation of those portions of the common elements that are limited common elements and the unit to which the use of each is restricted initially.

(ii) 1. A. This subparagraph applies to any condominium for which a declaration, bylaws, and plat are recorded in the land records of the county where the property is located on or after October 1, 2010.

B. This subparagraph does not apply to A DETACHED CONDOMINIUM UNIT OR a condominium that is occupied and used solely for nonresidential purposes.

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2. The description of the common elements shall include the following improvements to the extent that the improvements are shared by or serve more than one unit or serve any portion of the common elements:

- A. Roofs;
- B. Foundations;
- C. External and supporting walls;
- D. Mechanical, electrical, and plumbing systems; and
- E. Other structural elements.

3. With the exception of corrective amendments necessary to comply with subparagraph 2 of this subparagraph, the description and designation of the common elements required under subparagraph 2 of this subparagraph may not be amended until after the date on which the unit owners, other than the developer and its affiliates, first elect a controlling majority of the members of the board of directors for the council of unit owners.”.

AMENDMENT NO. 3

On page 4, in line 21, strike “**(1)**”; and strike beginning with “**(2)**” in line 23 down through “**UNIT**” in line 24.

AMENDMENT NO. 4

On page 2, strike beginning with “**AGAINST**” in line 30 down through “**AGAINST**” in line 31; and in line 33, after “bylaws” insert “, **AGAINST RISKS OF DIRECT PHYSICAL LOSS COMMONLY INSURED AGAINST**”.

On page 3, strike beginning with “**SUBJECT**” in line 21 down through “**SECTION**” in line 22 and substitute “For property and casualty losses to the common elements and the units, exclusive of improvements and betterments installed in the units by unit”.

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owners other than the developer, OR FOR DETACHED UNITS, PROPERTY AND CASUALTY LOSSES TO THE COMMON ELEMENTS,”; in line 23, strike “THE UNIT OWNER’S” and substitute “his”; and strike beginning with “FOR” in line 25 down through “DEVELOPER” in line 27.

On page 4, strike beginning with “SUBJECT” in line 2 down through “LOSS” in line 3 and substitute “Any loss FOR ATTACHED OR MULTIFAMILY DWELLING UNITS”; in line 3, after “policy” insert “under subsection (a)(1) of this section”; in line 9, strike “(I)”; in line 11, strike beginning with “, FOR” in line 11 down through “DAMAGED” in line 12; in line 13, strike the period; in line 14, strike “(II) UNIT” and substitute “, and unit”; in line 15, strike the colon; in line 16, strike “1.”; in the same line, strike “THERE” and substitute “there”; strike beginning with “, FOR” in line 17 down through “THE” in line 18; in line 19, strike “; OR”; in line 20, strike “THE” and substitute “, or the”; and in line 31, strike “(A)(1)” and substitute “(A)”.