

1 HB574
2 200328-1
3 By Representative Sorrell
4 RFD: State Government
5 First Read: 07-MAY-19

8 SYNOPSIS: This bill would require owners of
9 condominiums or attached housing to carry property
10 insurance in an amount of not less than 150 percent
11 of the value of the property and to carry liability
12 insurance on any common element of housing.

13 This bill would authorize the owner of a
14 building attached to another building the right to
15 inspect the adjoining building in the event of
16 water damage, water seepage, or the presence of
17 mold affecting a common wall or structure.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 Relating to attached buildings; to require owners of
24 condominiums or attached housing to carry property insurance
25 in an amount of not less than 150 percent of the value of the
26 property and to carry liability insurance on any common
27 element of housing; and to authorize the owner of a building

1 attached to another building the right to inspect the
2 adjoining building in the event of water damage, water
3 seepage, or the presence of mold affecting a common wall or
4 structure.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. This act shall be known and may be cited
7 as the Judy Berneske Act.

8 Section 2. (a) Any person who owns a condominium or
9 attached housing shall maintain property insurance insuring
10 against all risks of direct physical loss commonly insured
11 against. The total amount of insurance after application of
12 any deductible shall not be less than 150 percent of the
13 actual cash value of the insured property at the time the
14 insurance is purchased.

15 (b) Any person who owns a condominium or attached
16 housing shall maintain liability insurance, including medical
17 payments insurance, covering all occurrences commonly insured
18 against for death, bodily injury, and property damage, arising
19 out of or in connection with the use, ownership, or
20 maintenance of any common element of the housing.

21 Section 3. (a) The owner of any building that is
22 attached to another building, upon providing written notice,
23 shall have the right to inspect an adjoining building within a
24 reasonable period of time in the event the owner detects water
25 damage or water seepage from, or the presence of mold on, a
26 common wall or common structure.

1 (b) The owner or tenant of a building that is
2 attached to another building who receives written notice
3 pursuant to subsection (a) may not unreasonably deny the owner
4 or his or her agent of the adjoining building the right to
5 inspect his or her property in a timely manner; provided,
6 however, any inspection shall be made during reasonable hours
7 and conducted for the sole purpose of ascertaining the source
8 of the water damage, water seepage, or mold.

9 Section 4. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.