

SENATE BILL 428

N1, L2

0lr1385
CF HB 482

By: **Charles County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 2020

CHAPTER _____

1 AN ACT concerning

2 **Southern Maryland – Homeowners Association Commission – Alternative**
3 **Dispute Resolution Authority**

4 FOR the purpose of expanding the authority of certain homeowners association
5 commissions in ~~Calvert County, Charles County, and St. Mary's County~~ the code
6 home rule counties of the Southern Maryland class to hear and resolve through
7 alternative dispute resolution certain issues between a homeowners association and
8 a homeowner regarding certain documents; defining a certain term; and generally
9 relating to homeowners associations in Southern Maryland.

10 BY repealing and reenacting, with amendments,
11 Article – Real Property
12 Section 11B–104(c)
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2019 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Real Property
17 Section 11B–116(a)
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2019 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Real Property**

2 11B–104.

3 (c) (1) IN THIS SUBSECTION, “GOVERNING DOCUMENT” HAS THE
4 MEANING STATED IN § 11B–116(A) OF THIS SUBTITLE.

5 (2) Subject to the provisions of this title, a code home rule county located
6 in the Southern Maryland class, as identified in § 9–302 of the Local Government Article,
7 may establish a homeowners association commission with the authority to hear and resolve
8 disputes between a homeowners association and a homeowner regarding the enforcement
9 of the [recorded covenants or restrictions] **GOVERNING DOCUMENTS** of the homeowners
10 association by providing alternative dispute resolution services, including binding
11 arbitration.

12 11B–116.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) “Governing document” includes:

15 (i) A declaration;

16 (ii) Bylaws;

17 (iii) A deed and agreement; and

18 (iv) Recorded covenants and restrictions.

19 (3) “In good standing” means not being more than 90 days in arrears in the
20 payment of any assessment or charge due to the homeowners association.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.