

2015-16 Appropriations Act Proviso Establishing Study Committee

117.135. (GP: Study Committee on Homeowners Associations) (A) In the current fiscal year, and from the funds appropriated to the Senate and the House of Representatives, there is created the Study Committee on Homeowners Associations to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina's statutory law. The study committee shall review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the study committee is authorized, but not limited to, reporting on the following issues:

- (1) disclosure of governing documents to prospective buyers;
- (2) education for homeowners and board members;
- (3) manager certification or licensing;
- (4) time period for developer control of an association; and
- (5) need for a comprehensive or uniform planned community act.

(B) The study committee must be composed of thirteen members:

- (1) two members of the Senate, appointed by the Chairman of the Senate Judiciary Committee;
- (2) two members of the House of Representatives, appointed by the Chairman of the House Labor, Commerce and Industry Committee;
- (3) the following members jointly selected by the Chairman of the Senate Judiciary Committee and Chairman of the House Labor, Commerce and Industry Committee:
 - (a) three property owners who are:
 - (i) required to be members of a homeowners association due to owning property in the homeowners association; and
 - (ii) governed by a homeowners association board;
 - (b) two lawyers, one representing homeowners associations and boards and the other representing homeowners;
 - (c) two managers, one in favor of certification or licensing and one opposed to certification or licensing;
 - (d) one realtor;
 - (e) one home builder or developer; and
- (4) the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, serving ex officio.

(C) Vacancies in the study committee's membership must be filled in the same manner of original appointment.

(D) The Chairmen of the Senate Judiciary Committee and House Labor, Commerce and Industry Committee shall provide appropriate staffing for the study committee.

(E) The study committee shall make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.