

## Session 116 - (2005-2006)

### S 0129 General Bill, By Jackson and Ford

#### *Similar (H 3739)*

**Summary:** Governing documents of homeowners association to be filed with the Secretary of State

A BILL TO ADD ARTICLE 3 TO CHAPTER 31, TITLE 27 OF THE 1976 CODE, TO PROVIDE FOR GOVERNANCE OF A HOMEOWNERS' ASSOCIATION, INCLUDING PROVISIONS FOR ADOPTING OR CHANGING AN OPERATING RULE, PROCEDURAL FAIRNESS IN THE OPERATION OF THE ASSOCIATION'S PROPERTY AND AFFAIRS, FILING OF GOVERNING DOCUMENTS WITH THE SECRETARY OF STATE, REVIEW BY THE SECRETARY OF STATE OF GOVERNING DOCUMENTS FOR COMPLIANCE AND NOTICE OF NONCOMPLIANCE TO HOMEOWNERS AND THE DEPARTMENT OF CONSUMER AFFAIRS, RECOGNITION OF THE DETERMINATION AS EVIDENCE PER SE OF NONCOMPLIANCE IN AN ENFORCEMENT ACTION, ENFORCEMENT OF COMPLIANCE BY THE DEPARTMENT THROUGH FINES AND INJUNCTIONS, AND A CAUSE OF ACTION AGAINST THE BOARD OF DIRECTORS OF A HOMEOWNERS' ASSOCIATION FOR BREACH OF ITS FIDUCIARY DUTY TO THE ASSOCIATION FOR NONCOMPLIANCE WITH THIS ARTICLE.

**12/15/04 Senate Prefiled**

**12/15/04 Senate Referred to Committee on Judiciary**

**01/11/05 Senate Introduced and read first time SJ-146**

**01/11/05 Senate Referred to Committee on Judiciary SJ-146**

**02/04/05 Senate Referred to Subcommittee: Gregory (ch), Elliott, Anderson, Ritchie, Cleary**