**A** **JOINT RESOLUTION**

TO CREATE A “STUDY COMMITTEE ON HOMEOWNERS ASSOCIATIONS” TO REVIEW LAWS, POLICIES, PRACTICES, AND PROCEDURES FROM THIS STATE AND OTHER JURISDICTIONS REGARDING HOMEOWNERS ASSOCIATIONS, AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR SOUTH CAROLINA’S STATUTORY LAW.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) 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)(1) The Study Committee must be composed of two members of the Senate, appointed by the Senate Judiciary Committee Chairman, and two members of the House of Representatives, appointed by the House Judiciary Committee Chairman. Vacancies in the Study Committee’s membership must be filled for the remainder of the unexpired term in the manner of original appointment.

(2) The Senate Judiciary Committee Chairman and House Judiciary Committee Chairman must jointly select the following:

(a) two lawyers, one representing homeowners associations and boards and the other representing homeowners, based upon recommendations of the South Carolina Bar;

(b) two managers, one in favor of certification or licensing and one opposed to certification or licensing, based upon the recommendations of the Community Association Institute and the Home Builders Association;

(c) one developer, based upon the recommendations of the Home Builders Association.

(3) In addition, the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, must serve ex officio.

(C) The Chairmen of the Senate and House Judiciary Committees shall provide appropriate staffing for the Study Committee.

(D) 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.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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