

BY: Senator Smith

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 386

(First Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 8, after the second “OF” insert “AT LEAST”; in the same line, after “MEMBERS” insert “, BUT NO MORE THAN NINE MEMBERS,”; in line 14, strike “THREE” and substitute “A MAJORITY OF THE”; and in line 16, strike “AT LEAST THREE” and substitute “A MAJORITY OF THE”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(D) “CONDOMINIUM” HAS THE MEANING STATED IN § 11-101 OF THE REAL PROPERTY ARTICLE.

“(E) “COOPERATIVE HOUSING CORPORATION” HAS THE MEANING STATED IN § 5-6B-01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.”;

in lines 15, 17, 19, and 21, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, “(I)”, and “(J)”, respectively; after line 18, insert:

“(H) “HOMEOWNERS ASSOCIATION” HAS THE MEANING STATED IN § 11B-101 OF THE REAL PROPERTY ARTICLE.”;

in line 23, strike “RESIDENTIAL”; and in the same line, strike “CO-OP” and substitute “COOPERATIVE HOUSING CORPORATION”.

(Over)

On page 6, in lines 14 and 16, in each instance, after “PROPERTY” insert “AND, SUBJECT TO SUBSECTION (C) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION”.

On page 7, after line 4, insert:

“(C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED DISTRICT MAY PETITION TO JOIN THE DISTRICT CORPORATION.

(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN THE DISTRICT ONLY IF:

(I) THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION IS GOVERNED BY A BOARD;

(II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION; AND

(III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION (B)(2) OF THIS SECTION:

(I) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND

(II) THE DECISION REACHED BY THE BOARD SHALL CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION.”;

and in line 5, strike “(C)” and substitute “(D)”.

On page 8, in line 17, before “AN” insert “(A)”; in lines 21 and 24, in each instance, after “PROPERTY” insert “AND, SUBJECT TO SUBSECTION (B) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION”;

and after line 29, insert:

“(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED EXPANDED GEOGRAPHIC AREA OF THE DISTRICT MAY PETITION TO JOIN THE EXPANSION.

(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN THE EXPANSION ONLY IF:

(I) THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION IS GOVERNED BY A BOARD;

(II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION; AND

(Over)

(III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER § 12-608 OF THIS SUBTITLE.

(3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION (A)(1) OF THIS SECTION:

(I) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND

(II) THE DECISION REACHED BY THE BOARD SHALL CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION.”.

AMENDMENT NO. 3

On page 3, in line 13, strike “LEGISLATIVE” and substitute “GOVERNING”.