

Chapter 138

(House Bill 679)

AN ACT concerning

Real Property – Condominiums – Amendment to Bylaws to Require Unit Insurance Coverage

FOR the purpose of authorizing the council of unit owners of a condominium to amend the bylaws of the condominium, by a certain majority, to require all unit owners to maintain condominium unit owner insurance policies on their units; authorizing the bylaws of a condominium to require each unit owner to maintain a condominium unit owner insurance policy on the unit; requiring certain bylaws to require each unit owner to provide evidence of certain insurance coverage to the council of unit owners annually; and generally relating to condominiums and insurance coverage.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–104(a) and (c)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–104(e)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property

Section 11–114.2

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

Article – Real Property

11–104.

(a) The administration of every condominium shall be governed by bylaws which shall be recorded with the declaration. If the council of unit owners is incorporated, these bylaws shall be the bylaws of that corporation.

(c) The bylaws also may contain any other provision regarding the management and operation of the condominium including any restriction on or requirement respecting the use and maintenance of the units and the common elements.

(e) (2) (I) [Unless] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNLESS a higher percentage is required in the bylaws, the bylaws may be amended by the affirmative vote of unit owners having at least $66 \frac{2}{3}$ percent of the votes in the council of unit owners.

(II) THE BYLAWS MAY BE AMENDED BY THE AFFIRMATIVE VOTE OF UNIT OWNERS HAVING AT LEAST 51% OF THE VOTES IN THE COUNCIL OF UNIT OWNERS FOR THE PURPOSE OF REQUIRING ALL UNIT OWNERS TO MAINTAIN CONDOMINIUM UNIT OWNER INSURANCE POLICIES ON THEIR UNITS.

11-114.2.

(A) THE BYLAWS OF A CONDOMINIUM MAY REQUIRE EACH UNIT OWNER TO MAINTAIN A CONDOMINIUM UNIT OWNER INSURANCE POLICY ON THE UNIT.

(B) BYLAWS THAT REQUIRE EACH UNIT OWNER TO MAINTAIN UNIT OWNER INSURANCE ALSO SHALL REQUIRE EACH UNIT OWNER TO PROVIDE EVIDENCE OF THE INSURANCE COVERAGE TO THE COUNCIL OF UNIT OWNERS ANNUALLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, April 12, 2011.