

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-AB254)**

Received: 02/18/2004

Received By: rnelson2

Wanted: 02/23/2004

Identical to LRB:

For: Steve Wieckert (608) 266-3070

By/Representing: Scott B

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Real Estate - condominiums

Extra Copies:

Submit via email: YES

Requester's email: Rep.Wieckert@legis.state.wi.us

Carbon copy (CC:) to: mary.matthias@legis.state.wi.us  
don.dyke@legis.state.wi.us

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Condominium regulation

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	rnelson2 02/19/2004	jdyer 02/20/2004	jfrantze 02/20/2004	_____	lnorthro 02/20/2004	lnorthro 02/20/2004	
		jdyer 02/20/2004		_____	lnorthro 02/20/2004		

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/1	rnelson2 02/23/2004	jdyer 02/24/2004	jfrantze 02/24/2004	_____	lnorthro 02/24/2004	lnorthro 02/24/2004	
/2	rnelson2 02/25/2004	jdyer 02/25/2004 jdyer 02/25/2004	rschluet 02/25/2004	_____ _____ _____	sbasford 02/25/2004	sbasford 02/25/2004	

FE Sent For:

<END>

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		jdyer 02/20/2004			Inorthro 02/20/2004		

1/2 3/25 jld

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/1	rnelson2 02/23/2004	jdyer 02/24/2004	jfrantze 02/24/2004	_____	Inorthro 02/24/2004	Inorthro 02/24/2004	

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/?							
/P1	rnelson2 02/19/2004	jdyer 02/20/2004	jfrantze 02/20/2004	_____	Inorthro 02/20/2004	<del>Inorthro 02/20/2004</del>	
		jdyer 02/20/2004	_____	_____	Inorthro 02/20/2004		
		1/24 jld	2/24 J/Pg	2/24			

02/20/2004 10:49:50 AM  
Page 2

**LRBa2259**

FE Sent For:

**<END>**

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Addl. Drafters:

Subject: **Real Estate - condominiums**

Extra Copies:

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1?	rnelson2	PI 2/20 jcd	2/20	J/ch 2/20			

FE Sent For:

<END>

**Grant, Peter**

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**From:** Becher, Scott  
**Sent:** Tuesday, February 17, 2004 4:19 PM  
**To:** Grant, Peter  
**Subject:** FW: AB 254 - Condo amendment

Hearing on  
26th!

-----Original Message-----

**From:** Theo, Mike - VP Public Affairs [mailto:mtheo@wra.org]  
**Sent:** Tuesday, February 17, 2004 2:03 PM  
**To:** Scott Becher (E-mail)  
**Subject:** AB 254 - Condo amendment

Scott, here is the document that captures the changes we are recommending to AB 254. I'm assuming it's going to drafting today and if you want to authorize us (specifically Attorney Deb Conrad from our legal staff) to work directly with the drafter, it might expedite things.

I will have a memo to you by tomorrow or Thursday explaining why the bill is good and what the amendment does. We will then begin briefing Hebl and others as soon as possible.

Thanks again for all your help.

Mike

<<AB 254draftC.doc>>

**Michael Theo**

Vice President for Public Affairs

Wisconsin REALTORS Association  
4801 Forest Run Rd. Suite 201  
Madison, WI 53704

Phone: 608-241-2047  
Fax: 608-241-5168

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02/17/2004



## **PROPOSED LANGUAGE: AMENDMENT TO AB 254**

At the locations indicated, amend the bill as follows:

### **1. Power of Attorney for Evictions, AB 254, page 6, SECTION 13.**

In AB 254, § 703.09 (1m) of the statutes is created to read:

703.09 (1m) (a) In this subsection, “violation” means a failure to comply with the declaration, bylaws, or rules of the condominium association or any act or omission that constitutes grounds for eviction under ch. 704.

(b) A condominium declaration may provide that a unit owner, as a condition of the rental or lease of the unit owner’s residential unit, grants the association power of attorney to bring an eviction action against a tenant of the unit owner who has committed a violation if the unit owner, after being requested by the association to evict the tenant, fails to take reasonable action to evict the tenant. Giving notice terminating, or not renewing, a tenant’s lease or rental agreement within 60 days after an eviction request constitutes reasonable action to evict the tenant for purposes of this subsection. The declaration may specify notice and procedural requirements for the exercise of power of attorney by the association and the allocation of responsibility for eviction-related costs between the unit owner and the association. An eviction action brought by an association is subject to chs. 704 and 799.

(c) This subsection applies only to leases or rental agreements that are entered into or renewed after 3 years after the effective date of this paragraph .... [revisor insert date].

**PROPOSED AMENDMENT to AB 254:** Page 6, line 19, after that line insert:

“(d) This subsection applies to condominiums established before the effective date of this subsection only to the extent that the condominium declaration was amended to include any of the provisions described in sub. (a) – sub. (c) with the written consent of all unit owners.”

2. **Existing Condominiums Vote to Not Establish Statutory Reserves**, AB

254, page 24, (the following illustrates the change):

(5) EXISTING CONDOMINIUMS; STATUTORY RESERVE ACCOUNT UNLESS ELECT

OTHERWISE. The association for a condominium created before the effective date of this subsection .... [revisor inserts date], shall, within 18 months after the effective date of this subsection .... [revisor inserts date], or within 18 months after the expiration of any period of declarant control under s. 703.15 (2) (c), whichever is later, establish a statutory reserve account unless the association, with the written consent of ~~at least two-thirds~~ a majority of the unit votes, elects not to establish a statutory reserve account. Upon the establishment of or the election not to establish a statutory reserve account, the association shall execute a statutory reserve account statement.

**PROPOSED AMENDMENT to AB 254:** Page 24, line 18, after “consent of” delete “at least two-thirds” and insert “a majority.”

3. **Vote to Terminate Existing Statutory Reserves**, AB 254, page 25, (the following illustrates the change):

(b) An association may, at any time with the written consent of ~~at least two-thirds~~ a majority of the unit votes, terminate a statutory reserve account established under par. (a) or sub. (3) (a), (4), or (5) except that a statutory reserve account established by a declarant under sub. (3) (a) may not be terminated until after the expiration of any period of declarant control under s. 703.15 (2) (c).

**PROPOSED AMENDMENT to AB 254:** Page 25, line 3-4, after “consent of” delete “at least two-thirds” and insert “a majority.”

4. **Audit of Association Books During Declarant Control**, AB 254, pages 32-33.

**PROPOSED AMENDMENT to AB 254:** Pages 32, lines 12-17, and page 33, lines 1-4 (SECTION 37), are amended as follows:

703.20 (3) DECLARANT RESPONSIBILITIES FOR RECORDS. During the period of declarant control under s. 703.15 (2) (c), the declarant is responsible for creating and maintaining the financial and operational records of the association and shall turn the records over to the directors elected under s. 703.15 (2) (f). During the period of declarant control under s. 703.15 (2) (c) and for ~~one~~ two years thereafter, but no earlier than two years after declaration of the condominium, upon written request to the association by the lesser of 3 unit owners or the owners of 10% of the units, not including units owned by the declarant, the association shall arrange for an independent audit of its financial records, at association expense, ~~but no~~ Any audit requested may be made for an audit within ~~24~~ 36 months after the completion of a previous audit shall be at the expense of the requesting unit owners.

NOTE: Requires the creation and maintenance of, and provides means of access to, financial and operational records of the association during the period of declarant control. The declarant is responsible for the creation and maintenance of the records during the period of declarant control and must turn the records over to the board of directors elected after the period of declarant control expires.

Also, during the period of declarant control and ~~one~~ two years thereafter, requires the association to arrange and pay for an independent audit of the association's financial records if requested by the lesser of 3 unit owners or the owners of 10% of the units (not including units owned by the declarant). A limit is provided on the frequency of requesting an audit (not more than once every three years at association expense).

5. **Declaration may Provide for Mandatory Arbitration**, AB 254, page 5,

SECTION 12, (the following illustrates the change):

~~703.09 (1f) of the statutes is created to read:~~

~~703.09 (1f) A condominium declaration may provide for mandatory arbitration under ch. 788 of disputes arising out of the declaration, bylaws, or rules involving the interests of the declarant,~~

~~unit owners, association, or board of directors. A mandatory arbitration provision in a declaration constitutes a written agreement between or among the declarant, association, and board to submit to arbitration a dispute covered by the arbitration provision in the declaration. Acceptance of a conveyance of a condominium unit constitutes an agreement by the unit owner to submit to arbitration a dispute covered by an arbitration provision that is included in the declaration at the time of the conveyance.~~

**PROPOSED AMENDMENT to AB 254:** Page 5, delete lines 9-18.

**6. Declaration to State Rental Restrictions, AB 254, page 4, SECTION 9.**

In AB 254, § 703.09 (1) (g) of the statutes is amended to read:

703.09 (1) (g) Statement of the purposes for which the building and each of the units are intended and restricted as to use, including any requirement applicable to or restriction on the rental of residential units or reference to any such requirement or restriction in the bylaws.

**PROPOSED AMENDMENT to AB 254:** Page 4, line 11, at the end of that line insert:

“Requirements and restrictions for renting of residential units stated in an amendment to the declaration of condominiums established before the effective date of this subsection are not binding on leases in place on the date the amendment is recorded and are not binding on the units of unit owners who did not give written consent to the amendment until the unit is sold and conveyed to a new unit owner.”

**7. Requirements for Owner Occupancy of Directors May be Stated**

**in the Bylaws**, AB 254, page 12, SECTION 17, (the following illustrates the change):

703.10 (2g) OCCUPANCY REQUIREMENTS FOR BOARD MEMBERS. The bylaws may ~~provide that a unit owner may not serve as a director unless the owner occupies his or her unit or~~ may specify the proportion of nonoccupant unit owners who may serve as directors.

**PROPOSED AMENDMENT to AB 254:** Page 12, lines 3-4, delete “provide that a unit owner may not serve as a director unless the owner occupies his or her unit or may.”

8. **Nuisance Action Against Condominium Association**, AB 254, pages 51-52, SECTION 70.

**PROPOSED AMENDMENT to AB 254:** Page 51, lines 18-20, and page 52, lines 1-4 are deleted.

~~823.015 Action against condominium association. If a city, village, town, or county may bring an action under this chapter to abate a nuisance and the failure of a condominium association under ch. 703 to perform its duties to maintain and control the common elements is a reason the nuisance has not been abated, the action may be brought against the condominium association whether it is incorporated or unincorporated.~~

*Also - sec 703.25 (f)*

NOTE: Allows a city, village, town, or county to proceed directly against a condominium association in an action to abate a nuisance if the city, village, town, or county may bring the abatement action under ch. 823 (nuisances) and the failure of the condominium association to perform its duties to maintain and control the common elements is a reason the nuisance has not been abated.

9. **Unit Assessments During Declarant Control** (page 18, lines 15-21, and page 19, lines 1-2, **SECTION 30** of AB 254). AB 254 provides that if a declarant's units are exempt from unit assessments for common expenses until sold during declarant control, that the assessments for units that are sold to purchasers shall not exceed the unit's share of expenses per the budget, leaving the declarant to pay the balance of actual expenses. The proposed amendment to AB 254 deletes that provision and adds an item to the executive summary calling the attention of unit purchasers to any provisions in the condominium materials excusing the declarant from paying unit assessments.

2 p 53  
H 6

**PROPOSED AMENDMENT to AB 254:** Page 18, lines 15-21, and page 19, lines 1-2 are deleted.

**PROPOSED AMENDMENT to AB 254:** Page 41, line 14, after that line insert:  
12. 'Fees on new units.' A description of any provisions exempting the declarant or modifying the declarant's obligation to pay assessments on the declarant's unsold units during the period of declarant control, and any other provisions in the declaration, bylaws or the budget addressing the levying and payment of assessments on units during the period of declarant control.

10. **Amendments to Declaration and Bylaws.**

This proposed amendment to AB 254 adds language to the executive summary calling attention to the fact that a unit purchaser's rights and responsibilities in the condominium may be changed via amendments to the declaration, bylaws and other documents.

**PROPOSED AMENDMENT to AB 254:** Page 41, line 14, after that line insert:

13. 'Amendments.' Indicate that a unit purchaser's rights and responsibilities may be altered by amendment of the declaration or bylaws and describe the amendment process and requirements.

**PROPOSED AMENDMENT to AB 254:** Page 41, line 15, delete "12." and insert "14.":

~~12.~~14. 'Other restrictions or features.' At the option of the declarant or association a description of other restrictions or features of the condominium.

(END)



JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,  
TO 2003 ASSEMBLY BILL 254

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 11: after "bylaws" insert "Requirements and restrictions for  
3 renting of residential units stated in an amendment to the condominium declaration  
4 established before the effective date of this paragraph... [revisor inserts date], are  
5 not binding on leases in effect on the date that the amendment is recorded or on units  
6 or unit holders who did not give written consent to the amendment until the unit is  
7 sold and conveyed to a new unit owner".

8 2. Page 5, line 9: delete lines 9 to 18.

9 3. Page 6, line 19: after that line insert:

10 "(d) This subsection applies to condominiums that were established before the  
11 effective date of this paragraph... [revisor inserts date], only to the extent that the



1 condominium declaration was amended with the consent of all <sup>✓</sup> unit owners to include  
2 any of the provisions of this subsection. ”

3 4. Page 12, line 3: delete the material beginning with “provide” and ending  
4 with “may” on ~~page 12~~ <sup>page 12</sup> line 4.

5 5. Page 18, line 15: delete the material beginning with that line and ending  
6 with page 19, line 2. <sup>✓</sup>

7 6. Page 24, line 18: delete “at least two-thirds” and substitute “a majority”. <sup>✓</sup>

8 7. Page 25, line 3: delete “at least”. <sup>✓</sup>

9 8. Page 25, line 4: delete “two-thirds” and substitute “a majority”. <sup>✓</sup>

10 9. Page 32, line 17: delete “one year thereafter” and substitute “~~two~~ <sup>2</sup> years  
11 thereafter, but no earlier than ~~two~~ <sup>2</sup> years after the condominium declaration”.

12 10. Page 33, line 3: delete “~~but no request may be made for an~~” and substitute  
13 “at the association’s expense. The cost of any”.

14 11. Page 33, line 4: delete that line <sup>✓</sup> and substitute “requested within 36  
15 months after the completion of a previous audit shall be paid for by the requesting  
16 unit owners.” <sup>✓</sup>

17 12. Page 35, line 1: delete lines 1 to 3. <sup>CS</sup>

→ ~~\*\*\* Note: Removes the section because s. 823.015 is deleted.~~

18 13. Page 41, line 14: after that line insert:

19 “11m. <sup>Fix</sup> Fees on new units.’ A description of any provisions exempting the  
20 declarant or modifying the declarant’s obligation to pay assessments on the  
21 declarant’s unsold units during the period of the declarant’s control, and any other  
22 provisions in the declaration, bylaws, or budget addressing the levying and payment  
23 of assessments on units during the period of the declarant’s control. <sup>✓</sup>

1

11q. Amendments. <sup>Fix</sup> ~~indicate~~ <sup>An indication</sup> that a unit purchaser's rights and responsibilities  
 may be altered by an amendment of the declaration or bylaws, and ~~describe~~ <sup>a description of</sup> the  
 amendment process and requirements."

2

3

4

**14.** Page 51, line 18: delete the material beginning with that line and ending  
 with page 52, line 4. ✓

5

6

**15.** Page 53, line 6: delete lines 6 to 8. ✓

\*\*\*NOTE: Deletes the initial applicability section of the treatment that was deleted.

7

(END)



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**ASSEMBLY AMENDMENT ,  
TO 2003 ASSEMBLY BILL 254**

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 11: after "bylaws" insert ". Requirements and restrictions for

3 renting of residential units stated in an amendment to the ~~condominium~~ declaration

4 of a condominium  
4 established before the effective date of this paragraph ... [revisor inserts date], are

5 not binding on leases in effect on the date that the amendment is recorded or on ~~units~~

6 unit holders who did not give written consent to the amendment ~~the~~ the unit is

7 sold and conveyed to a new unit owner".

8 2. Page 5, line 9: delete lines 9 to 18.

9 3. Page 6, line 19: after that line insert:

10 "(d) This subsection applies to condominiums that were established before the

11 effective date of this paragraph .... [revisor inserts date], only to the extent that the

1 ~~condominium~~ declaration was amended with the consent of all unit owners to include  
2 any of the provisions of this subsection.”

3 **4.** Page 12, line 3: delete the material beginning with “provide” and ending  
4 with “may” on line 4.

5 **5.** Page 18, line 15: delete the material beginning with that line and ending  
6 with page 19, line 2.

7 **6.** Page 24, line 18: delete “at least two-thirds” and substitute “a majority”.

8 **7.** Page 25, line 3: delete “at least”.

9 **8.** Page 25, line 4: delete “two-thirds” and substitute “a majority”.

10 **9.** Page 32, line 17: delete “one year thereafter” and substitute “2 years  
11 thereafter, but no earlier than 2 years after the ~~condominium~~ <sup>is recorded</sup> declaration”.

12 **10.** Page 33, line 3: delete “, but no request may be made for an ” and substitute  
13 “at the association’s expense. The cost of any”.

14 **11.** Page 33, line 4: delete that line and substitute “requested within 36  
15 months after the completion of a previous audit shall be paid for by the requesting  
16 unit owners.”.

17 **12.** Page 35, line 1: delete lines 1 to 3.

18 ~~\*\*\*NOTE: Removes the SECTION because s. 823.015 is deleted.~~

19 **13.** Page 41, line 14: after that line insert:

20 “11m. ‘Fees on new units.’ A description of any provisions exempting the  
21 declarant or modifying the declarant’s obligation to pay assessments on the  
declarant’s unsold units during the period of the declarant’s control, and any other

1 provisions in the declaration, bylaws, or budget addressing the levying and payment  
2 of assessments on units during the period of the declarant's control.

3 11q. 'Amendments.' An indication that a unit purchaser's rights and  
4 responsibilities may be altered by an amendment of the declaration or bylaws, and  
5 a description of the amendment process and requirements."

6 **14.** Page 51, line 18: delete the material beginning with that line and ending  
7 with page 52, line 4.

8 **15.** Page 53, line 6: delete lines 6 to 8.

9 ~~\*\*\*\*NOTE. Deletes the initial applicability section of the treatment that was deleted.~~

(END)

6-3070

Grant, Peter

From: Becher, Scott  
Sent: Friday, February 20, 2004 4:14 PM  
To: Grant, Peter  
Subject: FW: Assembly Amendment to 2003 AB 254 (condo)  
Peter-

Please draft this as another amendment..

Scott

-----Original Message-----

From: Conrad, Debbie - Attorney [mailto:dconrad@wra.org]  
Sent: Friday, February 20, 2004 2:25 PM  
To: 'scott.becher@legis.state.wi.us'  
Cc: Theo, Mike - VP Public Affairs  
Subject: Assembly Amendment to 2003 AB 254 (condo)

Scott,

There are a couple of places needing clarification. The first is under 1. The idea is that the rental restrictions and requirements in an amendment to the declaration of a condominium already in existence on the effective date of this legislation do not apply to leases in place, and do not apply to a unit owner who does not vote in favor of the amendment stating the restrictions. The restrictions do apply to the unit of such a unit owner once that unit owner sells his or her unit to a new owner. Something like the following ...

1. Page 4, line 11: after "bylaws" insert ". Requirements and restrictions for renting of residential units stated in an amendment to the ~~condominium~~ declaration of a condominium established before the effective date of this paragraph .... [revisor inserts date], are not binding on leases in effect on the date that the amendment is recorded ~~or on units~~ to a ~~or~~ unit holders who did not give written consent to the amendment but is binding on his or her unit once until the unit is sold and conveyed to a new unit owner".

In 9., I think it has to be crystal clear that the 2 years starts with the recording date of the declaration.

9. Page 32, line 17: delete "one year thereafter" and substitute "2 years thereafter, but no earlier than 2 years after the recording of the condominium declaration".

Please do not hesitate to contact me if you have any questions. Thank you.

**Debbi Conrad**  
Director of Legal Services  
Wisconsin REALTORS Association ([www.wra.org](http://www.wra.org))  
4801 Forest Run Rd. Suite 201  
Madison, WI 53704

02/20/2004

Here, Bob.  
I also sent this to you  
electronically in case you  
want to reply to Scott.  
PG

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Fax: 608-242-2279

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**Nelson, Robert P.**

---

**From:** Becher, Scott  
**Sent:** Tuesday, February 24, 2004 6:24 PM  
**To:** Nelson, Robert P.  
**Subject:** FW: LRB 03a2259 Topic: Condominium regulation  
Robert-

Please make these changes to the amendment..

Scott

-----Original Message-----

**From:** Conrad, Debbie - Attorney [mailto:dconrad@wra.org]  
**Sent:** Tuesday, February 24, 2004 6:11 PM  
**To:** Theo, Mike - VP Public Affairs; Becher, Scott  
**Subject:** RE: LRB 03a2259 Topic: Condominium regulation

I just once more read over the assembly amendment to AB 254 and it does not include the Register of Deeds amendments:

✓ PROPOSED AMENDMENT to AB 254: Page 11, line 11, and page 11, line 14, delete the word "affidavit" and insert the word "amendment" in its place.

PROPOSED AMENDMENT to AB 254: Page 26, line 1, after "the declaration" insert ", shall be prepared in the standard format for recorded documents per s. 59.43(2m),".

Our drafting memo for the Register of Deeds changes is attached.

Debbi Conrad  
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02/25/2004



-----Original Message-----

From: Theo, Mike - VP Public Affairs  
Sent: Tuesday, February 24, 2004 2:17 PM  
To: Scott Becher (E-mail)  
Cc: Conrad, Debbie - Attorney  
Subject: FW: LRB 03a2259 Topic: Condominium regulation

Scott, I am correct that you and the drafted (and us) wanted to include the register of deeds' issues in this single amendment, correct? Thanks.

-----Original Message-----

From: Conrad, Debbie - Attorney  
Sent: Tuesday, February 24, 2004 12:32 PM  
To: 'Scott.Becher@legis.state.wi.us'  
Cc: Theo, Mike - VP Public Affairs  
Subject: FW: LRB 03a2259 Topic: Condominium regulation

Guys,

In the following, on page 1, on line 6, "unit holders" should be "unit owners," and on line 7, "is" should be "are," and "unit holder" should be "unit owner." Unit owner is the defined term in Chapter 703 while nobody will know what a unit holder means!

1. Page 4, line 11: after "bylaws" insert ". Requirements and restrictions for renting of residential units stated in an amendment to the declaration of a condominium established before the effective date of this paragraph .... [revisor inserts date], are not binding on leases in effect on the date that the amendment is recorded or on unit owners who did not give written consent to the amendment, but are binding on the unit holder once the unit is sold and conveyed to a new unit owner".

Otherwise, the corrections seem to have been made. This does not, however, include the Register of Deeds technical changes.

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02/25/2004



ASSEMBLY AMENDMENT,  
TO 2003 ASSEMBLY BILL 254

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 11: after "bylaws" insert "Requirements and restrictions for  
3 renting of residential units stated in an amendment to the declaration of a  
4 condominium established before the effective date of this paragraph .... [revisor  
5 inserts date], are not binding on leases in effect on the date that the amendment is  
6 recorded or on unit ~~holders~~ <sup>owners</sup> who did not give written consent to the amendment, but  
7 ~~is~~ <sup>all</sup> binding on the unit ~~holder~~ <sup>owner</sup> once the unit is sold and conveyed to a new unit owner".

8 2. Page 5, line 9: delete lines 9 to 18.

9 3. Page 6, line 19: after that line insert:

10 "(d) This subsection applies to condominiums that were established before the  
11 effective date of this paragraph .... [revisor inserts date], only to the extent that the  
12 declaration was amended with the consent of all unit owners to include any of the  
13 provisions of this subsection."

→ Page 11, line 11: on lines 11 and 14, substitute "amendment" for "affidavit".

*" shall be prepared in the standard format for recorded documents under*

S. 59.43  
(2m), "

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**4.** Page 12, line 3: delete the material beginning with "provide" and ending with "may" on line 4.

**5.** Page 18, line 15: delete the material beginning with that line and ending with page 19, line 2.

**6.** Page 24, line 18: delete "at least two-thirds" and substitute "a majority".

**7.** Page 25, line 3: delete "at least".

**8.** Page 25, line 4: delete "two-thirds" and substitute "a majority".

*# Page 26, line 17: after "declaration" insert*

**9.** Page 32, line 17: delete "one year thereafter" and substitute "2 years thereafter, but no earlier than 2 years after the declaration is recorded".

**10.** Page 33, line 3: delete ", but no request may be made for an " and substitute "at the association's expense. The cost of any".

**11.** Page 33, line 4: delete that line and substitute "requested within 36 months after the completion of a previous audit shall be paid for by the requesting unit owners."

**12.** Page 35, line 1: delete lines 1 to 3.

**13.** Page 41, line 14: after that line insert:

"11m. 'Fees on new units.' A description of any provisions exempting the declarant or modifying the declarant's obligation to pay assessments on the declarant's unsold units during the period of the declarant's control, and any other provisions in the declaration, bylaws, or budget addressing the levying and payment of assessments on units during the period of the declarant's control.

