

PROPOSED
SENATE AMENDMENTS TO H.B. 2648
(Reference to House engrossed bill)

1 Page 2, strike lines 33 through 38

2 Renumber to conform

3 Page 3, between lines 36 and 37, insert:

4 "26. "UNIT OWNER EXPENSES":

5 (a) MEANS FEES, CHARGES, LATE CHARGES AND MONETARY PENALTIES OR
6 INTEREST THAT IS IMPOSED PURSUANT TO SECTION 33-1242, SUBSECTION A,
7 PARAGRAPHS 10, 11 AND 12.

8 (b) DOES NOT INCLUDE ANY AMOUNT THAT IS INCLUDED IN A COMMON EXPENSE
9 LIEN."

10 Page 4, line 2, after "been" insert "AND REMAINS"

11 Strike lines 3 through 17, insert "the payment of ~~monies secured by the lien,~~
12 ~~excluding reasonable collection fees, reasonable attorney fees and charges~~
13 ~~for late payment of and costs incurred with respect to those~~ assessments,
14 for a period of one year or in the amount of \$1,200 or more, whichever
15 occurs first, as determined on the date the action is filed. ~~fees,~~
16 ~~charges, late charges, monetary penalties and interest charged pursuant to~~
17 ~~section 33-1242, subsection A, paragraphs 10, 11 and 12, other than charges~~
18 ~~for late payment of assessments, are not enforceable as assessments under~~
19 ~~this section.~~ THE ASSOCIATION BOARD OF DIRECTORS SHALL EXERCISE ALL
20 REASONABLE EFFORTS TO COMMUNICATE WITH THE UNIT OWNER AND OFFER A
21 REASONABLE PAYMENT PLAN BEFORE FILING A FORECLOSURE ACTION. If an"

1 Page 4, line 21, after "B." insert "NOTWITHSTANDING ANY PROVISION IN THE
2 CONDOMINIUM DOCUMENTS, UNIT OWNER EXPENSES ARE NOT ENFORCEABLE AS COMMON
3 EXPENSE LIENS UNDER THIS SECTION."

4 Lines 24 and 26, strike "MEMBER" insert "UNIT OWNER"

5 Line 28, after "association's" insert "JUDGMENT"

6 Line 31, strike "MEMBER" insert "UNIT OWNER"

7 Page 5, lines 28 and 29, strike "COMMON EXPENSE LIEN AND MEMBER EXPENSES" insert
8 "LIENS PRESCRIBED BY SUBSECTION A OR B OF THIS SECTION"

9 Line 31, after "association" strike remainder of line

10 Strike line 35, insert "any lien for any unpaid assessment then due."

11 Page 7, line 10, strike "MEMBER" insert "UNIT OWNER"

12 Page 8, strike lines 29 through 43, insert "owner has been AND REMAINS delinquent
13 in the payment of ~~monies secured by the lien, excluding reasonable~~
14 ~~collection fees, reasonable attorney fees and charges for late payment of~~
15 ~~and costs incurred with respect to those~~ assessments, for a period of one
16 year or in the amount of \$1,200 or more, whichever occurs first, as
17 determined on the date the action is filed. ~~Fees, charges, late charges,~~
18 ~~monetary penalties and interest charged pursuant to section 33-1803, other~~
19 ~~than charges for late payment of assessments are not enforceable as~~
20 ~~assessments under this section.~~ THE ASSOCIATION BOARD OF DIRECTORS SHALL
21 EXERCISE ALL REASONABLE EFFORTS TO COMMUNICATE WITH THE MEMBER AND OFFER A
22 REASONABLE PAYMENT PLAN BEFORE FILING A FORECLOSURE ACTION. If an
23 assessment is"

24 Page 9, line 1, after "B." insert "NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY
25 DOCUMENTS, MEMBER EXPENSES ARE NOT ENFORCEABLE AS COMMON EXPENSE LIENS
26 UNDER THIS SUBSECTION."

27 Line 7, after "association's" insert "JUDGMENT"

28 Page 10, line 2, after "A" insert "OR B"

29 Line 11, strike "COMMON EXPENSE LIEN AND MEMBER EXPENSES" insert "LIENS
30 PRESCRIBED BY SUBSECTION A OR B OF THIS SECTION"

31 Line 13, after "association" strike remainder of line

Senate Amendments to H.B. 2648

- 1 Page 10, line 14, strike "of directors and every unit owner"
- 2 Line 17, after "any" strike remainder of line
- 3 Strike line 18, insert "lien for any unpaid assessment then due."
- 4 Amend title to conform

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3:36 PM
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