

FIFTIETH LEGISLATURE
FIRST SESSION, 2011

SB 183/a

March 2, 2011

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 183, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 12, lines 8 through 13, strike Section 7 in its entirety and insert in lieu thereof:

"SECTION 7. A new section of the Condominium Act is enacted to read:

"[NEW MATERIAL] ATTORNEY FEES AND COSTS.--A court may award reasonable attorney fees and costs to any party that prevails in a civil action between a unit owner and the unit owner's association or declarant based upon any provision of the declaration or bylaws, provided that the declaration or bylaws allow at least one party to recover attorney fees or costs."".

2. On page 14, line 21, strike "within" and "ten" and insert in lieu thereof "no less than seven".

3. On page 15, line 2, strike "six months" and insert in lieu thereof "forty-five days".

4. On page 15, line 6, strike "and".

5. On page 15, line 8, remove the brackets and line through "seven" and strike "ten".

6. On page 15, line 10, after the semicolon, insert "and".

7. On page 15, between lines 10 and 11, insert the following new subparagraph:

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"(e) if a purchaser receives the disclosure statement less than seven days before signing a contract to purchase a unit, the purchaser, before conveyance, shall have no less than seven days from the date of the contract to cancel the contract;".

8. On page 17, line 1, remove the brackets and line through "seven" and strike "ten".

9. On page 17, line 4, remove the brackets and line through "seven" and strike "ten".

10. On page 17, line 20, strike "six months" and insert in lieu thereof "forty-five days".

11. On page 19, line 20, after the period, strike the remainder of the line and strike lines 21 through 25 in their entirety and insert in lieu thereof "A unit owner shall not be liable to a purchaser for the failure or delay of the association to provide the certificate in a timely manner, but the purchase contract may be canceled by the purchaser at least seven days from the date of receipt of the certificate or until conveyance, whichever first occurs."".

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Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against
Yes: 7
No: 0
Excused: Griego, E., Harden, Lopez, Sanchez, M.
Absent: None

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