

Session 115 - (2003-2004)

S 0911 General Bill, By Jackson

Summary: Homeowners' Association, governance of

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 31, TITLE 27, SO AS TO PROVIDE FOR GOVERNANCE OF A HOMEOWNERS' ASSOCIATION, INCLUDING PROVISIONS FOR ADOPTING OR CHANGING AN OPERATING RULE, PROCEDURAL FAIRNESS IN THE OPERATION OF THE ASSOCIATION'S PROPERTY AND AFFAIRS, FILING OF GOVERNING DOCUMENTS WITH THE SECRETARY OF STATE, REVIEW BY THE SECRETARY OF STATE OF GOVERNING DOCUMENTS FOR COMPLIANCE AND NOTICE OF NONCOMPLIANCE TO HOMEOWNERS AND THE DEPARTMENT OF CONSUMER AFFAIRS, RECOGNITION OF THE DETERMINATION AS EVIDENCE PER SE OF NONCOMPLIANCE IN AN ENFORCEMENT ACTION, ENFORCEMENT OF COMPLIANCE BY THE DEPARTMENT THROUGH FINES AND INJUNCTIONS, AND A CAUSE OF ACTION AGAINST THE BOARD OF DIRECTORS OF A HOMEOWNERS' ASSOCIATION FOR BREACH OF ITS FIDUCIARY DUTY TO THE ASSOCIATION FOR NONCOMPLIANCE WITH THIS ARTICLE.

02/04/04 Senate Introduced and read first time SJ-27

02/04/04 Senate Referred to Committee on Judiciary SJ-27