

HB 1146 - AS INTRODUCED

2022 SESSION

22-2450

11/05

HOUSE BILL ***1146***

AN ACT relative to condominium instruments and condominium special assessments.

SPONSORS: Rep. DeLemus, Straf. 24

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill modifies the method by which condominium instruments may be modified, and provides that condominium associations cannot override special assessments levied by the condominium board of directors.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to condominium instruments and condominium special assessments.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Condominium Instruments; Amendment of Instruments. Amend RSA 356-B:34, II to read as
2 follows:

3 II. If there is any unit owner other than the declarant, then the condominium instruments
4 shall be amended only by agreement of unit owners of units to which 2/3 of the votes in the unit
5 owners' association appertain, or such larger majority as the condominium instruments may specify,
6 except in cases for which this chapter provides different methods of amendment. The procedures
7 established in RSA 356-B:54, V shall be followed for amendments to extend the time limits for
8 conversion, expansion, or contraction of a condominium. ***Notwithstanding the foregoing,***
9 ***condominium fees shall be amended only by agreement of unit owners of units to which a***
10 ***majority of the votes in the unit owners' association appertain.***

11 2 Condominium Act; Adoption of Special Assessments. Amend RSA 356-B:40-c, II to read as
12 follows:

13 II. The board of directors, at any time, may propose a special assessment. ~~[Except as~~
14 ~~otherwise provided in paragraph III, the assessment is effective only if the board of directors follows~~
15 ~~the procedures for ratification of a budget described in paragraph I and the unit owners do not reject~~
16 ~~the proposed assessment.]~~

17 3 Effective Date. This act shall take effect 60 days after its passage.