



SENATE BILL 336: Condominium Declaration Requirement Changes.

2021-2022 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 5, 2021
Introduced by:	Sen. Daniel	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 336 would clarify what is included within the upper and lower limiting boundaries of a condominium unit that are not specifically described with reference to established data, and would modify the requirements for information to be included in a condominium declaration before recordation.*

BILL ANALYSIS: **Section 1** would provide that a condominium unit not specifically described by an upper limiting boundary referring to established datum is deemed to include so much of the land and air above the unit as would be included for a noncondominium parcel of land under applicable common or statutory law, and that a condominium unit not specifically described by a lower limiting elevation boundary with reference to established datum is deemed to include so much of the land and air below the unit as would be included for a noncondominium parcel of land under applicable common or statutory law.

Section 2 would provide that a declaration or amendment to a declaration adding units to a condominium may not be recorded unless there is a recorded certificate of an architect or engineer attesting that all structural components and mechanical systems of all buildings containing or comprising the new units are substantially completed in accordance with a licensed architect's or registered engineer's building design plans. The plats or plans for the condominium required to be filed by the declarant with the register of deeds would not be required to depict the structural components and mechanical systems of buildings.

EFFECTIVE DATE: This act is effective when it becomes law and applies to declarations executed and recorded on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
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