

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Local Government** recommends **SB 114** be amended on page 1, following line 26, by inserting: "(B) suspend a unit owner's right to vote except involving issues of assessments and fees; or"; in line 27, by striking "(B)" and inserting "(C)"; in line 29, by striking "and"; following line 29, by inserting "(7) have the power to suspend owner's right to vote on all issues when the owner is a developer who owns properties and is delinquent in the payment of assessments or fees"; and; in line 30, by striking "(7)" and inserting "(8)";

On page 2, following line 17, by inserting:

"Sec. 2. K.S.A. 2010 Supp. 58-4610 is hereby amended to read as follows: 58-4610. (a) The bylaws of the association must:

(1) Provide the number of members of the board of directors and the titles of the officers of the association;

(2) provide for election by the board of directors or, if the declaration requires, by the unit owners, of a president, treasurer, secretary, and any other officers of the association the bylaws specify;

(3) specify the qualifications, powers and duties, terms of office, and manner of electing and removing board of directors' members and officers and filling vacancies;

(4) specify the powers the board of directors or officers may delegate to other persons or to a managing agent;

(5) specify the officers who may prepare, execute, certify, and record amendments to the declaration on behalf of the association;

(6) specify a method for the unit owners to amend the bylaws;

(7) contain any provision necessary to satisfy requirements in this act or the declaration concerning meetings, voting, quorums, and other activities of the association; and

(8) provide for any matter required by law of this state other than this act to appear in the bylaws of organizations of the same type as the association.

(b) Subject to the declaration and this act, the bylaws may provide for any other necessary or appropriate matters, including, but not limited to, an election oversight committee and other matters that could be adopted as rules.

(c) The requirements of this section shall not apply to any common interest community for a recreational lake development which contains more than 500 units where less than 50% of such units contain a residence.

~~(e)~~(d) This section shall take effect on and after January 1, 2011.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "58-4608" by inserting ", 58-4610"; also in line 2, by striking "; also"; in line 3, by striking "repealing K.S.A. 2010 Supp. 58-4610"; and the bill be passed as amended.

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Chairperson