

association, condominium, or cooperative housing corporation under certain circumstances; prohibiting the naming of an officer or director of a governing body as a party defendant under certain circumstances; providing for the naming of an officer or director of a governing body as a party defendant under certain circumstances; and generally relating to immunity from civil liability for officers and directors of certain governing bodies of homeowners associations, condominiums, and cooperative housing corporations.

BY adding to

Article - Real Property

Section 14-119

Annotated Code of Maryland

(1981 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Real Property

14-119.

(A) (1) IN THIS SECTION "GOVERNING BODY" MEANS A PERSON WHO HAS THE AUTHORITY TO ENFORCE:

(I) THE PROVISIONS OF A DECLARATION, AS DEFINED UNDER § 11-103 OF THE MARYLAND CONDOMINIUM ACT;

(II) AN-ARTICLE ARTICLES OF INCORPORATION OF A COUNCIL OF UNIT OWNERS, OF A COOPERATIVE HOUSING CORPORATION AS DEFINED UNDER THE MARYLAND COOPERATIVE HOUSING CORPORATION ACT, OR OF A HOMEOWNERS ASSOCIATION AS DEFINED UNDER THE MARYLAND HOMEOWNERS ASSOCIATION ACT; OR

(III) THE PROVISIONS OF BYLAWS, RULES, AND REGULATIONS OF A CONDOMINIUM AS DEFINED UNDER THE MARYLAND CONDOMINIUM ACT, OF A COOPERATIVE HOUSING CORPORATION AS DEFINED UNDER THE MARYLAND COOPERATIVE HOUSING CORPORATION ACT, OR OF A HOMEOWNERS ASSOCIATION AS DEFINED UNDER THE MARYLAND HOMEOWNERS ASSOCIATION ACT.

(2) GOVERNING BODY INCLUDES:

(I) A HOMEOWNERS ASSOCIATION;

(II) A COUNCIL OF UNIT OWNERS OF A CONDOMINIUM, AS DESCRIBED IN THE MARYLAND CONDOMINIUM ACT; OR

(III) A COOPERATIVE HOUSING CORPORATION.

~~(3) -- A HOMEOWNERS ASSOCIATION MAY BE -- INCORPORATED -- OR UNINCORPORATED.~~