

Article - Real Property
Section 11-104(e)(1), 11-109(d), and 11-125
Annotated Code of Maryland
(1974 Volume and 1979 Supplement)

BY adding to

Article - Real Property
Section 11-124(j)
Annotated Code of Maryland
(1974 Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Real Property

11-104.

(e) (1) [The] UNLESS A HIGHER PERCENTAGE IS REQUIRED IN THE BYLAWS, THE bylaws may be amended by the affirmative vote of unit owners having [75] 66 2/3 percent or more of the votes. Each particular set forth in subsection (b) shall be expressed in the bylaws as amended. An amendment shall be entitled to be recorded if accompanied by a certificate of the person specified in the bylaws to count votes at the meeting of the council of unit owners that the amendment was approved by unit owners having [at least 75 percent] THE REQUIRED PERCENTAGE of the votes and shall be effective on recordation. This certificate shall be conclusive evidence of approval.

11-109.

(d) The council of unit owners may be either incorporated as a nonstock corporation or unincorporated. If incorporated, it is subject to those provisions of Title 5, Subtitle 2 of the Corporations and Associations Article of the Code which are not inconsistent with this title. [If the council of unit owners is unincorporated, it shall have,] THE COUNCIL OF UNIT OWNERS HAS, subject to any provision of this title, the declaration, and bylaws, the following powers:

(1) To have perpetual existence, subject to the right of the unit owners to terminate the condominium regime as provided in § 11-121 of this subtitle;

(2) To sue and be sued, complain and defend [in any court], OR INTERVENE IN LITIGATION OR ADMINISTRATIVE PROCEEDINGS IN ITS OWN NAME ON BEHALF OF ITSELF OR TWO OR MORE UNIT OWNERS ON MATTERS AFFECTING THE CONDOMINIUM;