

BY repealing and reenacting, with amendments,

Article - Real Property  
Section 11A-104(a)  
Annotated Code of Maryland  
(1988 Replacement Volume and 1988 Supplement)

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

Article - Real Property

11A-104.

(a) (1) Time-shares may be created in any unit in existence before January 1, 1985 unless prohibited by a project instrument. If time-shares are not prohibited by the project instrument, the owners of at least 34 percent of the units in the project may sign and record a document among the land records of the county where the project is located, stating an intent to limit time-shares in the project, and referring to this section. Thereafter, no person or other entity may become a developer with respect to more than 1 unit in the project, but this limitation will not apply to units of which the developer was owner of record prior to the recording of the aforementioned document.

(2) (I) IN THIS PARAGRAPH, "RECORDED COVENANTS AND RESTRICTIONS" HAS THE MEANING STATED IN § 11B-101 OF THIS ARTICLE.

(II) THE OWNERS OF PROPERTY IN A RESIDENTIAL COMMUNITY GOVERNED BY PRIVATE-RESTRICTIONS-A--PROJECT--INSTRUMENT RECORDED COVENANTS AND RESTRICTIONS MAY PROHIBIT TIME-SHARES ON ANY PROPERTY SUBJECT TO THE PRIVATE---RESTRICTIONS---PROJECT INSTRUMENT RECORDED COVENANTS AND RESTRICTIONS BY AMENDING THE PRIVATE-RESTRICTIONS-PROJECT-INSTRUMENT RECORDED COVENANTS AND RESTRICTIONS WITH--A--MAJORITY-VOTE-OF-THE-OWNERS-SUBJECT-TO-THE RESTRICTIONS BY A VOTE OF THE OWNERS IN ACCORDANCE WITH THE MAJORITY REQUIREMENTS OF THE PROJECT-INSTRUMENT, BYLAWS, OR RULES OF-THE-PROJECT RECORDED COVENANTS AND RESTRICTIONS.

(III) THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH DO NOT APPLY TO AN EXISTING TIME-SHARE UNIT IN A PROJECT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 25, 1989.

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