

HOUSE BILL No. 2530

By Representative Edwards

1-29

1 AN ACT concerning the Kansas uniform common interest owners bill of
2 rights act; amending K.S.A. 2013 Supp. 58-4610 and repealing the
3 existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) A declarant shall not add additional developments
7 or additions to be part of a unit owners association unless all unit owners
8 in the original association agree in writing to such addition.

9 (b) This section shall be a part of and supplemental to the Kansas
10 uniform common interest owners bill of rights act.

11 Sec. 2. K.S.A. 2013 Supp. 58-4610 is hereby amended to read as
12 follows: 58-4610. (a) The bylaws of the association must:

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

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

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

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

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

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

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

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

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

36 (c) *Whenever 75% or more of the units have been sold, the declarant*

1 *shall cause an election to be held to elect a board of directors by unit*
2 *owners. All unit owners shall be entitled to vote in the election. The*
3 *election shall be held at a time and place and in a manner convenient to*
4 *the unit owners.*

5 (d) The requirements of this section shall not apply to an association
6 for a common interest community for a recreational lake development
7 which contains more than 500 units where less than 50% of such units
8 contain a residence.

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

10 Sec. 3. K.S.A. 2013 Supp. 58-4610 is hereby repealed.

11 Sec. 4. This act shall take effect and be in force from and after its
12 publication in the statute book.