



SENATE URBAN AFFAIRS & HOUSING COMMITTEE

SENATOR DAVID G. ARGALL, CHAIRMAN

JON HOPCRAFT, EXECUTIVE DIRECTOR

SENATE BOX 203029 • STATE CAPITOL BUILDING • HARRISBURG, PA 17120 • 717.787.2637

Bill Summary

Bill Number: Senate Bill 1302, P.N. 1872

Prime Sponsor: Senator Folmer

Synopsis

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of planned communities, further providing for amendment of declaration; and, in management of planned community, further providing for bylaws, for meetings, for quorums and for lien for assessments.

Bill Summary

Senate Bill 1302 amends the Uniform Planned Community Act by removing a provision from nonresidential associations allowing those communities to amend bylaws with a smaller percentage of members, as declared in their respective declaration.

Senate Bill 1302 creates a new “transparency” section for unit owners’ associations (otherwise known as homeowners’ associations/HOAs) requiring any changes to bylaws that impose a new fee or penalty be adopted at a regular meeting, as established under § 5308 (Meetings) of Title 68 (Real and Personal Property), as opposed to executive meetings.

Senate Bill 1302 requires two notices be sent out in advance of a meeting, as opposed to the current statute requiring one notice. Under Senate Bill 1302, a first notice must be sent not less than 30 days and a second notice must be sent within 8-10 days of the meeting.

A quorum for the election of the executive board must be at least 50 percent of members, while amendments to the bylaws require no less than 40 percent of members present. Quorum requirements for associations are currently 20 and 10 percent, respectively.

Senate Bill 1302 adds a section clarifying that unit owners’ attorney’s fees are required to be paid only if they lose a trial.

The bill would take effect in 60 days.