

## LEGISLATIVE STATUS REPORT 4/20/09

By Amy Redfern

### HERE IS THE UPDATE THAT REPLACED OUR MEETING ON FRIDAY. – Chris

Hello CLAC Members,

As we enter the home stretch of the legislative session, following is an update of the priority bills with which we have been involved as well as 2 new bills forthcoming:

#### CURRENT BILLS

\* SB 249 Small CIC Prohibitions "The Flag Bill" (Penry & Carroll/A. Kerr): This bill sailed through the Senate with no amendments and will be heard in the House Local Government Committee on Tuesday at 1:30. As he did in the Senate, Jerry Orten will testify on behalf of CAI-CLAC. Please note that we have been asked to meet over the summer with our NAIOP friends to discuss broader mixed-use implications triggered by the conversations around the substance of this bill.

\* SB 246 Homeowner Protection Act (Morse/Pommer): This bill was postponed indefinitely in the first committee as a result of stakeholder meetings and discussions. It was deemed that this construction defect issue regarding the settlement of meritorious claims needed additional work over the summer. We plan to monitor these meetings.

\* HB 1220 Affordable Housing (Scanlon/Gibbs): Sent to the Governor for signature on 4/16.

\* HB 1227 Equity Skimming (Frangas/Hudak): Sent to the Governor for Signature on 4/16.

\* HB 1235 Neighbor/Good Samaritan Clean-Up (Acres/Mitchell): Postponed indefinitely

#### FORTHCOMING BILLS

The following two bills will be introduced in the next few days:

\* HB ##### (A. Kerr): This is the carefully negotiated bill which we have been working on with Beth Minahan and the Lakewood-area HOA. As previously discussed, the bill will address:

\* the powers and duties of executive board members and officers (information and record keeping/accessibility and committee qualification); and

\* cap reserve fund and study procedures.

What will NOT be in the bill is language limiting the foreclosure authority of an HOA. We should have a copy of the bill on Monday.

\* HB ##### (McFayden): Yesterday, our wind friends alerted us to a bill they are bringing forward. Originally not intended for introduction this Session, the bill will be introduced shortly and will serve as a companion bill to HB 1149 Solar Prewire (Merrifield/M. Carroll). As it was explained (a draft for our review is promised), the bill would require homebuilders to offer prospective buyers the opportunity to have the residence's electrical or plumbing system include an appropriate connection or conduit for a wind generating device. The statute reference to the wind device is the same one we drafted in HB 08-1272 with one addition - the device must comply with local government height restrictions. This is a bill on which we will need your proper review once we receive a copy.

Both of these "late-bills" will require continued CLAC effort. We will keep you apprised and request your specific assistance as these matters move through the process.

Thank you for your support and engagement as we count-down the final weeks of Session. 16 days to go!

Best,  
Amy

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