

AMENDMENTS TO HOUSE BILL NO. 2295

Sponsor:

Printer's No. 3913

1 Amend Title, page 1, line 3, by inserting after "providing"
2 for application of subpart relating to condominiums
3 to condominiums created by prior statutory law and

4 Amend Sec. 1, page 1, lines 6 and 7, by striking out all of
5 said lines and inserting

6 Section 1. Sections 3102(b) and 3315(b)(2)(i) of Title 68 of
7 the Pennsylvania Consolidated Statutes are amended to read:
8 § 3102. Applicability of subpart.

9 * * *

10 (b) Prior statutory law.--The provisions of the act of July
11 3, 1963 (P.L.196, No.117), known as the Unit Property Act, do
12 not apply to condominiums created after the effective date of
13 this subpart and do not invalidate any amendment to the
14 declaration, code of regulations or declaration plan of any
15 condominium created before the effective date of this subpart if
16 the amendment would be permitted by this subpart. The amendment
17 must be adopted in conformity with the procedures and
18 requirements specified by those instruments and by the
19 provisions of the Unit Property Act. If the amendment grants to
20 any person any rights, powers or privileges permitted by this
21 subpart, all correlative obligations, liabilities and
22 restrictions in this subpart also apply to that person. By
23 amendment to the declaration, code of regulations and
24 declaration plan, a condominium created pursuant to the Unit
25 Property Act may be made subject to all of the provisions of
26 this subpart in lieu of the provisions of the Unit Property Act,
27 effective as of the date of recordation of such amendments and
28 without in any way terminating the condominium status of the
29 property or in any way affecting any lien or encumbrance on the
30 property, if the terms of such amended documents conform to the
31 requirements of this subpart and if such amendments have been
32 approved by [all] 67% of the persons whose actions would have
33 been required to effect a removal of the property from the Unit
34 Property Act pursuant to section 601 thereof. No amendment of:

35 (1) the declaration, code of regulations or declaration
36 plan of a condominium created pursuant to the Unit Property
37 Act; or

38 (2) the declaration, bylaws or plats and plans of a
39 condominium created pursuant to this subpart;

40 may increase the obligations or responsibilities of a declarant