

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Local Government** recommends **HB 2557** be amended on page 1, by striking all in lines 6 through 24;

On page 2, in line 17, after the semicolon by inserting "or"; in line 18, by striking all after "owners"; by striking all in lines 19 through 28; in line 29, by striking "owners" and inserting "present at a meeting vote in favor of such loan. All unit owners shall be notified by certified mail, return receipt requested, of any meeting called to arrange a loan"; following line 29, by inserting:

"Sec. 2. K.S.A. 2015 Supp. 58-4618 is hereby amended to read as follows: 58-4618. (a) Except as provided in subsection (b), an association shall deliver any notice required to be given by the association under this act to any mailing or electronic mail address a unit owner designates. Otherwise, the association may deliver notices by:

- (1) Hand delivery to each unit owner;
 - (2) hand delivery, United States mail postage paid, or commercially reasonable delivery service to the mailing address of each unit;
 - (3) electronic means, if the unit owner has given the association an electronic address;
- or
- (4) any other method reasonably calculated to provide notice to the unit owner.

(b) (1) An association for a common interest community for a recreational lake development which contains more than 500 units where less than 50% of such units contain a residence shall comply with subsection (a) when providing notice for an annual meeting.

(2) For all other meetings such association shall:

(A) Post a notice on the association's website;

(B) send a notice by electronic mail to all unit owners who request such notice; and

(C) post a sign containing the meeting notice at the main entrance of the common interest community.

(c) The ineffectiveness of a good faith effort to deliver notice by an authorized means does not invalidate action taken at or without a meeting.

(d) Foreclosure of liens pursuant to K.S.A. 58-3123 or 58-3710, and amendments thereto, or any authority contained in the association's declaration may not be initiated unless the foreclosure is effectuated in accordance with this section:

(1) Prior to initiating a foreclosure action against a unit owner for unpaid fees and assessments, the association shall file a lien against the unit which lien shall state the then current amount of fees and assessments due.

(2) Not less than 30 days written notice shall be mailed to the unit owner of the intent of the association to file a lien unless the default is cured within the 30-day period. The notice shall state the then current amount of assessments and fees due.

(3) The notice shall be mailed to the last known address of the unit owner as shown on the association's records and, if the subject unit address is different from the last known address, the notice shall also be mailed to the unit address. A copy of the notice shall also be sent to any mortgagee of the unit owner if the mortgagee has requested such notice in writing.

(4) The notices required by this subsection shall be mailed by certified mail, return receipt requested.";

Also on page 2, in line 30, by striking "is" and inserting "and 58-4618 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "consumer protection and" and inserting "the Kansas uniform"; in line 2, by striking "communities" and inserting "owners bill of rights act"; also in line 2, after "58-4609" by inserting "and 58-4618"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

_____Chairperson