

Bill No. CS for CS for CS for SB 1184

Amendment No. ____ Barcode 575198

CHAMBER ACTION

Senate

House

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04/23/2004 05:17 PM

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Senator Campbell moved the following amendment:

Senate Amendment (with title amendment)

On page 21, between lines 12 and 13,

insert:

(5) With respect to any parcel that has ceased to be governed by a previous declaration of covenants as of the effective date of this act, the parcel owner may commence an action within one year after the effective date of this act for a judicial determination that the previous declaration did not govern that parcel as of the effective date of this act and that any revival of such declaration as to that parcel would unconstitutionally deprive the parcel owner of rights or property. A revived declaration that is implemented pursuant to this act shall not apply to or affect the rights of the respective parcel owner recognized by any court order or judgment in any such action commenced within one year after the effective date of this act, and any such rights so recognized may not be subsequently altered by a revived declaration implemented under this act without the consent of

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1 the affected property owner.

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 2, line 24, after the semicolon,

7

8 insert:

9 providing for judicial determination of the

10 effects of revived covenants on parcels;

11 providing for effects of such a judicial

12 determination;

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