

2024 Regular Session

HOUSE BILL NO. 440

BY REPRESENTATIVES BERAULT, DICKERSON, EDMONSTON, EGAN, AND WYBLE

PROPERTY/IMMOVABLE: Provides relative to association documents of planned communities

1 AN ACT

2 To amend and reenact R.S. 9:3198(3) and to enact R.S. 9:1123.109 and 1141.8(D), relative
3 to homeowners associations, property owners associations, condominium owners
4 associations and other planned communities; to provide for the disclosure of
5 association documents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:3198(3) is hereby amended and reenacted and R.S. 9:1123.109 and
8 1141.8(D) are hereby enacted to read as follows:

9 §1123.109. Association documents; availability

10 The association shall provide copies of all association documents not publicly
11 recorded. The documents shall be provided to any owner or purchaser within 15 days
12 of the request at no cost of the owner or purchaser.

13 * * *

14 §1141.8. Community documents; force of law

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16 D. The association shall provide copies of all association documents not
17 publicly recorded. The documents shall be provided to any owner or purchaser
18 within 15 days of the request at no cost of the owner or purchaser.

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The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical changes.
2. Remove the requirement that homeowners associations, property owners associations, and condominium associations conduct an annual accounting of the books and provide a report outlining the fees and expenses for the previous fiscal year.
3. Remove the requirement that every homeowners association, property owners association, and condominium association with dues exceeding \$500,000 annually shall have an audit of the books conducted every three years by a third-party auditor in addition to the annual accounting.
4. Add "planned community" to the list of associations that the purchaser of a home is made aware of in the property disclosure statement in order to provide the purchaser the association documents prior to closing.