2018 Regular Session

HOUSE BILL NO. 606

BY REPRESENTATIVE STOKES

CONDOMINIUMS: Provides relative to the Louisiana Condominium Act

1	AN ACT	
2	To amend and reenact R.S. 9:1121.103(3) and (5), relative to the Louisiana Condominium	
3	Act; to provide for definitions; to provide for the responsibility of parties over certain	
4	aspects of the property; and to provide for related matters.	
5	Be it enacted by the Legislature of Louisiana:	
6	Section 1. R.S. 9:1121.103(3) and (5) are hereby amended and reenacted to read as	
7	follows:	
8	§1121.103. Definitions	
9	As used in this Part:	
10	* * *	
11	(3)(a) "Unit" means a part of the condominium property subject to individual	
12	ownership that is the responsibility of the unit owner. A unit may include air space	
13	only. A unit includes such accessory rights and obligations as are stipulated in the	
14	condominium declaration.	
15	(b) "Unit" shall also include all of the following personal property and	
16	replacement of all of the following when located within the unit or its limited	
17	common elements and when serving only the unit:	
18	(i) Wall, floor, and ceiling coverings, electrical fixtures, appliances, water	
19	heaters, water filters, built-in cabinets, and built-in countertops.	

1	(ii) Window treatments including drapes, blinds, hardware, and similar
2	window treatment components.
3	(iii) Materials installed subsequent to the original construction and purchase
4	of the unit by a unit owner that are located behind walls, under floors, or over
5	ceilings, regardless of whether they may be tied in or connected to common element
6	property or equipment.
7	* * *
8	(5)(a) "Common elements" means the portion of the condominium property
9	not that is the responsibility of the condominium association and neither a part of the
10	individual units nor a part of the limited common elements of a unit.
11	(b) "Common elements" shall also include but not be limited to all of the
12	following movable or immovable property and replacement of all of the following
13	when located outside the boundaries of any unit, under its floors, or over its ceiling
14	and when serving the condominium building in whole or in part but not for the
15	benefit of a single unit:
16	(i) Walls, floors, ceilings, ceiling coverings, electrical fixtures, appliances,
17	water heaters, water filters, built-in cabinets, and built-in countertops.
18	(ii) Window treatments including drapes, blinds, hardware, and similar
19	window treatment components.
20	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 606 Original	2018 Regular Session
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Stokes

Abstract: Amends certain provisions of the La. Condominium Act to specify which elements of the property are the responsibility of whom.

<u>Present law</u> provides for definitions. <u>Proposed law</u> amends the definitions of the terms "unit" and "common elements". <u>Proposed law</u> provides that any of the property described in <u>proposed law</u> as included in the term "unit" is the responsibility of the unit owner. <u>Proposed law</u> provides that any of the property described in <u>proposed law</u> as included in the term "common elements" is the responsibility of the condominium association.

<u>Proposed law</u> provides that "unit" shall include all of the following personal property and replacement of all of the following when located within the unit or its limited common elements and when serving only the unit:

- (1) Wall, floor, and ceiling coverings, electrical fixtures, appliances, water heaters, water filters, built-in cabinets, and built-in countertops.
- (2) Window treatments including drapes, blinds, hardware, and similar window treatment components.
- (3) Materials installed subsequent to the original construction and purchase of the unit by a unit owner that are located behind walls, under floors, or over ceilings, regardless of whether they may be tied in or connected to common element property or equipment.

<u>Proposed law</u> provides that "common elements" shall include but not be limited to all of the following movable or immovable property and replacement of all of the following when located outside the boundaries of any unit, under its floors, or over its ceiling and when serving the condominium building in whole or in part but not for the benefit of a single unit:

- (1) Walls, floors, ceilings, ceiling coverings, electrical fixtures, appliances, water heaters, water filters, built-in cabinets, and built-in countertops.
- (2) Window treatments including drapes, blinds, hardware, and similar window treatment components.

(Amends R.S. 9:1121.103(3) and (5))