

CONFERENCE COMMITTEE REPORT

HB 1058

2022 Regular Session

Hollis

June 6, 2022

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1058 by Representative Hollis, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Commerce, Consumer Protection and International Affairs (#3469) be rejected.
- 2. That the set of amendments by the Legislative Bureau (#3584) be rejected.
- 3. That the following amendment to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, after line 13, add the following:

"Section 2. This Act shall become effective January 1, 2023."

Respectfully submitted,

Representative Paul Hollis

Senator Rick Ward III

Representative Paula P. Davis

Senator Patrick McMath

Representative Stephanie Hilferty

Senator Patrick Connick

CONFERENCE COMMITTEE REPORT DIGEST**HB 1058****2022 Regular Session****Hollis****Keyword and oneliner of the instrument as it left the House**

PROPERTY/IMMOVABLE: Provides relative to property disclosures regarding building restrictions and restrictive covenants

Report rejects Senate amendments which would have:

1. Provided a definition for the term "community documents".
2. Provided that the term "community documents" be applicable to all references to "restrictive covenants" and "building restrictions" in present law and proposed law.

Report amends the bill to:

1. Provide for an effective date of January 1, 2023.

Digest of the bill as proposed by the Conference Committee

Present law requires the seller of residential property to provide property disclosures notifying the purchaser of certain information regarding the property, including whether the property is subject to a mandatory homeowners' association.

Proposed law retains present law and further requires the seller to notify the purchaser of whether the property is subject to a common regime of either restrictive covenants or building restrictions, or both.

Proposed law also requires that the disclosures include a statement informing the purchaser that the disclosure statement is a summary of the homeowners' association's regulations, and restrictive covenants and building restrictions are part of the public record.

Proposed law requires the statement to contain a provision notifying the purchaser that he is authorized to request homeowners' association governing documents from the seller and information on how to obtain documents regarding restrictive covenants or building restrictions.

Effective Jan. 1, 2023.

(Amends R.S. 9:3198(A)(2)(a) and (3))