

Amendment No. \_\_\_\_\_

*[Handwritten Signature]*

Signature of Sponsor

<b>FILED</b>
Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1429

House Bill No. 1290\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 27, is amended by adding the following new part:

**66-27-701.**

As used in this part:

(1) "Dedictory instrument":

(A) Means each document governing the establishment, maintenance, or operation of a residential subdivision; and

(B) Includes a declaration or similar instrument subjecting real property to:

(i) Restrictive covenants, bylaws, or similar instruments governing the administration or operation of a homeowners' association; or

(ii) Properly adopted rules and regulations of a homeowners' association;

(2) "Homeowners' association" means an incorporated or unincorporated association owned by or whose members consist primarily of the owners of the property covered by the dedicatory instrument and through which the owners, or the board of directors or similar governing body, manage or regulate the residential subdivision; and

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(3) "Restrictive covenant" means any covenant, condition, or restriction contained in a dedicatory instrument, whether mandatory, prohibitive, permissive, or administrative.

**66-27-702.**

(a) A homeowners' association shall, upon request, provide an accounting of the votes cast in any vote to amend a dedicatory instrument that prohibits or effectively prohibits the lease of residential property for a period of thirty (30) days or more. The accounting must include, but is not limited to, the language of any ballot questions used, the number of members present, the total number of members of the homeowners' association, the number of members required for a quorum, and the final count of votes cast.

(b) The owner of a property subject to a dedicatory instrument that is amended to prohibit, or effectively prohibit, the lease of residential property for a period of thirty (30) days or more during the period of the owner's ownership of the property has a vested right to rent the property for a period of thirty (30) days or more that remains until the owner transfers ownership of the property.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring

it.