

Amendment No. 1 to HB1290

Crawford  
Signature of Sponsor

**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) "Declaration" means any instrument, however denominated, that creates a homeowners' association, and any amendments to such instrument, including restrictive covenants, bylaws, and similar instruments governing the administration or operation 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 declaration and through which the owners, or the board of directors or similar governing body, manage or regulate the residential subdivision; and

(3) "Rules and regulations" mean policies, resolutions, guidelines, restrictions, and procedures of a homeowners' association, however denominated, which are not set forth in the declaration and which govern the conduct of persons or the use or appearance of property.

**66-27-702.**

(a) A homeowners' association shall, upon written request from a member, provide an accounting of the votes cast in any vote to amend a declaration that prohibits or effectively prohibits the lease of residential property for a period of thirty (30) days or

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more. The accounting must include the language of any ballot questions used, the number of members present, the total number of members of the homeowners' association, the total number of votes that the governing body of the homeowners' association is entitled to cast, the number of members required for a quorum, and the final count of votes cast.

(b) The owner of a property subject to a declaration 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 until the owner transfers ownership of the property.

SECTION 2. The act shall take effect July 1, 2019, the public welfare requiring it.