

NOTE: Del. Hamrick's HB 4832 failed.

On 2/12/2020 6:02 PM, Danny Hamrick wrote:

Ms. Briscoe,

This bill was introduced at the request of a constituent. If you notice the bill is marked "by request." **I personally don't have an opinion on these specific issues because I do have not had the time to research these issues.**

Thanks,  
Danny Hamrick

*Homeowners contacted legislators & representatives to vote against this bill citing undue harm to HOAs in WV as well as the overall poorly written text.*

---

Key: **Green** = existing Code. **Red** = new code to be enacted

WEST Virginia legislature

2020 regular session

Introduced

House Bill 4832

By Delegate Hamrick

(By Request)

[Introduced February 11, 2020; Referred to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated **§36B-3-120**, relating to establishing additional requirements of unit owners' associations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. MANAGEMENT OF THE COMMON INTEREST COMMUNITY

§36B-3-120. Additional requirements.

(a) Associations may not determine what services or utilities members use.

(b) If provided by an association, members may “opt out” of cable and internet services and may not be charged for those services.

(c) Associations may not be shared by two or more separate geographical locations, i.e. association property cannot be controlled by another association property in a different location or subdivision.

(d) Associations must provide to members written current bylaws within 48 hours of request.

(e) Members must receive and sign a complete copy of the association’s bylaws and regulations at time of closing. The association shall record copy of signed copy of the bylaws on paper or in electronic format.

(f) Associations may not publish the names of those members who are in arrears to other members at any time.

(g) Associations may not disallow privacy fences, but may proscribe that the fences be painted and maintained.

NOTE: The purpose of this bill is to establish additional requirements of unit owners’ associations.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.