



## UTAH STATE SENATE

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February 23, 2004

Mr. President:

The Business and Labor Committee reports a favorable recommendation on **H.B. 59**, LIEN FOR HOMEOWNER ASSOCIATION CHARGES, by Representative S. Mascaro, with the following amendments:

1. *Page 1, Line 20:*

20        ~~[[None]]~~    **This bill provides a coordination clause.**

2. *Page 3, Line 74*

*House Floor Amendments*

*2-10-2004:*

74        (ii) a mailing address of the homeowner association.

=        **Section 4. Coordinating S.B. 129 with H.B. 59.**

If this H.B. 59 and S.B. 129, Community Associations, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication, shall coordinate the enactment of H.B. 59 with S.B. 129 so that:

(1) Sections 57-24-1, 57-24-2, and 57-24-3 from H.B. 59 will not be enacted; and

(2) Section 57-8a-203, enacted in S.B. 129, shall be modified so that:

(a) Subsection 57-8a-203(1)(b)(ii) shall be deleted and replaced with the following:

"(i) encumbrances on the interest of the lot owner recorded prior to the date of the recording of notice of lien described in Subsection (1)(b)."; and

Bill Number



HB0059

Action Class



S

Action Code



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(b) Subsection 57-24-3(3), enacted in H.B. 59, shall be renumbered as Subsection 57-8a-203(5) in S.B. 129 and modified as follows:

"(5) A lien described in this section is valid only if:

(a) the association maintains current records for its officers, directors, and trustees with the Division of Corporations and Commercial Code; and

(b) the recording of notice of lien contains:

(i) a day time telephone number of the association; and

(ii) a mailing address of the association."

Respectfully,

Parley Hellewell  
Committee Chair

Voting: 4-0-4

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