

26 Section 1. Section **57-8a-104** is amended to read:

27 **57-8a-104. Limitation on requirements for amending governing documents --**

28 **Limitation on contracts.**

29 (1) As used in this section, "period of administrative control" means the period during
30 which the person who filed the association's governing documents or a successor in interest
31 retains authority to:

32 (a) appoint or remove members of the association's board of directors; or

33 (b) exercise power or authority assigned to the association under its governing
34 documents.

35 [~~(2) (a) When the period of administrative control ends, the governing]~~

36 (2) (a) (i) Governing documents may not require that an amendment to the governing
37 documents adopted after the period of administrative control be approved by more than 67% of
38 the voting interests.

39 (ii) The vote required to adopt an amendment to governing documents may not be
40 greater than 67% of the voting interests, notwithstanding a provision of the governing
41 documents requiring a greater percentage ~~H→~~ and regardless of whether the governing
41a documents were adopted before, on, or after May 10, 2011 ←H .

42 (b) Subsection (2)(a) does not apply to an amendment affecting only:

43 (i) lot boundaries; or

44 (ii) members' voting rights.

45 (3) (a) A contract for services such as garbage collection, maintenance, lawn care, or
46 snow removal executed on behalf of the association during a period of administrative control is
47 binding beyond the period of administrative control unless terminated by the board of directors
48 after the period of administrative control ends.

49 (b) Subsection (3)(a) does not apply to golf course and amenity management, utilities,
50 cable services, and other similar services that require an investment of infrastructure or capital.

51 (4) Voting interests under Subsections (2) and (3) are calculated in the manner required
52 by the governing documents.

53 (5) Nothing in this section affects any other rights reserved by the person who filed the
54 association's original governing documents or a successor in interest.