

House Bill 2403

Sponsored by Representative NERON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires boards of homeowners associations and condominium associations to provide budget summary 30 days prior to adoption.

Prohibits new charges not in adopted budget and approved by majority of owners. Applies to new charges on or after date of next adopted budget or January 1, 2023.

A BILL FOR AN ACT

1 Relating to association budgets; creating new provisions; and amending ORS 94.645 and 100.483.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 94.645 is amended to read:

4 94.645. (1) The board of directors at least annually shall adopt a budget for the planned com-
5 munity.
6

7 (2) The budget shall include moneys to be allocated to the reserve account under ORS 94.595.

8 **(3) At least 30 days before voting to adopt a budget, the board of directors shall provide**
9 **a summary of the proposed budget to all owners.**

10 [(3)] (4) Within 30 days after adopting the annual budget for the planned community, the board
11 of directors shall provide a summary of the budget to all owners.

12 [(4)] (5) If the board fails to adopt a budget, the last adopted annual budget shall continue in
13 effect.

14 **(6) The association may not impose or increase any assessment, fine, fee or interest**
15 **charge unless the charge is:**

16 **(a) Described in a budget adopted in accordance with this section; and**

17 **(b) Approved by a majority of the owners.**

18 **SECTION 2.** ORS 100.483 is amended to read:

19 100.483. (1) The board of directors at least annually shall adopt a budget for the association of
20 unit owners.

21 (2) The budget shall include moneys required to be allocated to the reserve account under ORS
22 100.175.

23 **(3) At least 30 days before voting to adopt a budget, the board of directors shall provide**
24 **a summary of the proposed budget to all owners.**

25 [(3)] (4) Within 30 days after adopting the annual budget for the association, the board of di-
26 rectors shall provide a summary of the budget to all owners.

27 [(4)] (5) If the board of directors fails to adopt an annual budget, the last adopted budget shall
28 continue in effect.

29 **(6) The association may not impose or increase any assessment, fine, fee or interest**
30 **charge unless the charge is:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (a) Described in a budget adopted in accordance with this section; and

2 (b) Approved by a majority of the owners.

3 **SECTION 3.** The amendments to ORS 94.645 and ORS 100.483 by sections 1 and 2 of this
4 2021 Act apply to increases in charges adopted by an association on or after the earlier of:

5 (1) The date the association adopts a budget on or after January 1, 2022; or

6 (2) January 1, 2023.

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