

HOUSE BILL No. 4667

May 19, 2011, Introduced by Reps. MacMaster and Agema and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 46 and 53 (MCL 559.146 and 559.153), section 53 as amended by 1982 PA 538.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 46. (1) The developer or a co-owner may impose reasonable
2 restrictions or covenants running with the land upon a condominium
3 unit in the condominium project, in addition to the reasonable
4 restrictions and covenants ~~as may be contained~~ in the condominium
5 documents, ~~so long as such~~ **IF THE ADDITIONAL** restrictions and
6 covenants are not otherwise prohibited by law and ~~as long as they~~
7 are consistent with the condominium documents. The restrictions and
8 covenants may include provisions governing the joint or common
9 ownership of condominium units in the condominium project and the

1 basis upon which the usage of the condominium unit or condominium
2 units may be shared from time to time by the joint or common owners
3 thereof.

4 (2) AN ASSOCIATION COMPOSED OF 4,000 OR MORE CO-OWNERS MAY, BY
5 A MAJORITY OF THE CO-OWNERS VOTING, MODIFY OR TERMINATE A
6 RESTRICTION OR RESTRICTIVE COVENANT IMPOSED UNDER THIS SECTION IF
7 THE RESTRICTION OR RESTRICTIVE COVENANT WAS IMPOSED BY A DEVELOPER
8 WHO IS NO LONGER IN BUSINESS OR NO LONGER HAS A FINANCIAL INTEREST
9 IN THE ASSOCIATION.

10 Sec. 53. The administration of a condominium project shall be
11 governed by bylaws recorded as part of the master deed, or as
12 provided in the master deed. An amendment to the bylaws of any
13 condominium project shall not eliminate the mandatory provisions
14 required by section 54. An amendment shall be inoperative until
15 recorded. **A RESTRICTION OR RESTRICTIVE COVENANT THAT IS PART OF THE**
16 **BYLAWS MAY BE MODIFIED OR TERMINATED AS PROVIDED UNDER SECTION 46.**