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PROPOSED AMENDMENTS TO AB 319

(April 3, 2003)

Sec. 2. 1. In a county whose population is 400,000 or more, a person other than a declarant who owns, or directly or indirectly has an interest in, one or more units within a planned community that is restricted to residential use by the declaration may use that unit or one of those units for a transient commercial use only if:

(a) The governing documents of the association and the master association do not prohibit such use; and

(b) ~~[Persons entitled to cast at least a majority of the votes in]~~ *Unless the planned community and one or more hotels are subject to the governing documents of the master association,* the association and the master association *must* approve the transient commercial use of the unit~~[-]; and~~

(c) *The unit is properly zoned and any license required by the local government for transient commercial use is obtained.*

2. The association and the master association may establish requirements for such use pursuant to subsection 1, including, without limitation, the payment of additional fees that are related to any increase in services or other costs associated with the transient commercial use of the unit.

3. As used in this section:

(a) "Remuneration" means any compensation, money, rent or other valuable consideration given in return for the occupancy, possession or use of a unit.

(b) "Transient commercial use" means the use of a unit, for remuneration, as a hostel, hotel, inn, motel, resort, vacation rental or other form of transient lodging if the term of the occupancy, possession or use of the unit is for less than 30 consecutive calendar days.

Proposed amendments submitted by:

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