

Moved by Lahey

Seconded by Guthrie

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1317

AMENDMENT TO SECTION 1

1  
2 On page 1 of the printed bill, delete lines 38 through 41, and insert:

3 "(3) Attorney's fees and costs shall not accrue and shall not be as-  
4 essed or collected by the homeowner's association until the homeowner's as-  
5 sociation has complied with the requirements of subsection (2) of this sec-  
6 tion and the member has failed to address the violation as prescribed in sub-  
7 section (2)(c) of this section. A court of competent jurisdiction may de-  
8 termine the reasonableness of attorney's fees and costs assessed against a  
9 member. In an action to determine the reasonableness of attorney's fees and  
10 costs assessed by the homeowner's association against a member, the court  
11 may award reasonable attorney's fees and costs to the prevailing party."

12 CORRECTION TO TITLE

13 On page 1, delete lines 3 through 6, and insert: "TO PROVIDE CONDITIONS  
14 WHEN ATTORNEY'S FEES AND COSTS MAY ACCRUE AND MAY BE ASSESSED OR COLLECTED."