

HOUSE BILL 1541

N1

5lr3601
CF 5lr3603

By: **Delegate Holmes**

Introduced and read first time: February 25, 2025

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Condominiums – Mandatory Insurance Coverage**

3 FOR the purpose of requiring a certain condominium unit owner to obtain a certain
4 insurance policy for the unit; requiring a certain insurance policy to include certain
5 provisions; authorizing a council of unit owners to acquire a certain insurance policy
6 and charge a certain assessment under certain circumstances; and generally relating
7 to mandatory insurance coverage for condominiums.

8 BY adding to

9 Article – Real Property

10 Section 11–114.3

11 Annotated Code of Maryland

12 (2023 Replacement Volume and 2024 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Real Property**

16 **11–114.3.**

17 **(A) (1) THIS SECTION APPLIES ONLY TO A CONDOMINIUM COMPOSED**
18 **ENTIRELY OF UNITS INTENDED FOR RESIDENTIAL USE.**

19 **(2) THIS SECTION DOES NOT APPLY TO A CONDOMINIUM COMPOSED**
20 **ENTIRELY OF SIMILAR DETACHED UNITS.**

21 **(B) (1) A UNIT OWNER SHALL MAINTAIN A CONDOMINIUM UNIT OWNER**
22 **INSURANCE POLICY OR A SUBSTANTIALLY SIMILAR PROPERTY INSURANCE POLICY**
23 **ON THE UNIT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) AN INSURANCE POLICY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) A WAIVER OF THE UNIT OWNER'S RIGHT TO SUBROGATION AGAINST THE COUNCIL OF UNIT OWNERS AND THE COUNCIL'S INSURANCE POLICIES;

(II) COVERAGE FOR THE COUNCIL OF UNIT OWNERS' PROPERTY INSURANCE DEDUCTIBLE OR A PORTION OF THE DEDUCTIBLE REQUIRED UNDER § 11-114 OF THIS TITLE;

(III) A COVERAGE LIMIT THAT IS SUFFICIENT TO REPAIR OR REPLACE THE UNIT OWNER'S PERSONAL PROPERTY OR THE CONTENTS OF THE UNIT;

(IV) LOSS OF USE COVERAGE IN AN AMOUNT SUFFICIENT TO PROVIDE ALTERNATE HOUSING FOR AT LEAST 12 MONTHS IF THE UNIT OWNER CANNOT LIVE IN THE UNIT;

(V) PERSONAL LIABILITY COVERAGE OF AT LEAST \$500,000;

(VI) LOSS ASSESSMENT COVERAGE OF AT LEAST \$25,000; AND

(VII) DWELLING OR BUILDING PROPERTY COVERAGE OF AT LEAST THE GREATER OF:

1. \$25,000; OR

2. THE AMOUNT NECESSARY TO REPAIR AND REPLACE:

A. ALTERATIONS, ADDITIONS, BETTERMENTS, AND INVESTMENTS MADE OR ACQUIRED BY THE CURRENT UNIT OWNER; AND

B. UPGRADES CONVEYED TO THE UNIT OWNER THAT ARE THE RESPONSIBILITY OF THE UNIT OWNER TO INSURE UNDER THE BYLAWS OF THE CONDOMINIUM.

(C) THE BYLAWS OF A CONDOMINIUM MAY REQUIRE A UNIT OWNER TO MAINTAIN AN INSURANCE POLICY THAT INCLUDES COVERAGE AMOUNTS IN EXCESS OF THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.

(D) EACH UNIT OWNER SHALL PROVIDE EVIDENCE OF THE INSURANCE POLICY REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO THE COUNCIL OF UNIT OWNERS:

1 **(1) ANNUALLY; AND**

2 **(2) ON REQUEST BY THE COUNCIL OF UNIT OWNERS.**

3 **(E) (1) IF A UNIT OWNER DOES NOT MAINTAIN AN INSURANCE POLICY AS**
4 **REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE COUNCIL OF UNIT**
5 **OWNERS MAY ACQUIRE AN INSURANCE POLICY ON BEHALF OF THE UNIT OWNER.**

6 **(2) A COUNCIL OF UNIT OWNERS THAT ACQUIRES AN INSURANCE**
7 **POLICY ON BEHALF OF A UNIT OWNER UNDER PARAGRAPH (1) OF THIS SUBSECTION**
8 **MAY CHARGE THE INSURANCE PREMIUM AS AN ASSESSMENT TO THE UNIT OWNER.**

9 **(3) FOR AN INSURANCE POLICY ACQUIRED ON BEHALF OF A UNIT**
10 **OWNER UNDER THIS SUBSECTION, THE INSURANCE CARRIER SHALL PAY DIRECTLY**
11 **TO THE COUNCIL OF UNIT OWNERS THE PORTION OF THE COUNCIL'S DEDUCTIBLE**
12 **THAT THE UNIT OWNER IS RESPONSIBLE FOR UNDER § 11-114 OF THIS TITLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.