

**SUBSTITUTE FOR
SENATE BILL NO. 1256**

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 restrictions and covenants are not
6 otherwise prohibited by law and as long as they are consistent with
7 the condominium documents. The restrictions and covenants may
8 include provisions governing the joint or common ownership of

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

4 (2) AN ASSOCIATION OF CO-OWNERS MAY MODIFY BY A MAJORITY OF
5 THOSE VOTING RESTRICTIONS OR RESTRICTIVE COVENANTS IMPOSED UNDER
6 THIS SECTION IF THE RESTRICTIONS OR RESTRICTIVE COVENANTS WERE
7 IMPOSED BY A DEVELOPER WHO IS NO LONGER IN BUSINESS OR NO LONGER
8 HAS A FINANCIAL INTEREST IN THE ASSOCIATION <<AND IF THE ASSOCIATION
IS COMPOSED OF AT LEAST 4,000 CO-OWNERS>>.

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