

---

SENATE BILL 6432

---

State of Washington

65th Legislature

2018 Regular Session

By Senators Zeiger and Angel

1 AN ACT Relating to homeowner association and condominium bylaws;  
2 and amending RCW 64.38.030 and 64.34.200.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 64.38.030 and 1995 c 283 s 6 are each amended to  
5 read as follows:

6 (1) Unless provided for in the governing documents, the bylaws of  
7 the association shall provide for:

8 ~~((1))~~ (a) The number, qualifications, powers and duties, terms  
9 of office, and manner of electing and removing the board of directors  
10 and officers and filling vacancies;

11 ~~((2))~~ (b) Election by the board of directors of the officers of  
12 the association as the bylaws specify;

13 ~~((3))~~ (c) Which, if any, of its powers the board of directors  
14 or officers may delegate to other persons or to a managing agent;

15 ~~((4))~~ (d) Which of its officers may prepare, execute, certify,  
16 and record amendments to the governing documents on behalf of the  
17 association;

18 ~~((5))~~ (e) The method of amending the bylaws; and

19 ~~((6))~~ (f) Subject to the provisions of the governing documents,  
20 any other matters the association deems necessary and appropriate.

1       (2) For associations established after the effective date of this  
2 section, a homeowners' association must record bylaws and amendments  
3 to the bylaws in every county in which any portion of the association  
4 is located in the same manner as a deed, and the bylaws and  
5 amendments are effective only upon recording.

6       **Sec. 2.** RCW 64.34.200 and 1992 c 220 s 4 are each amended to  
7 read as follows:

8       (1) A condominium may be created pursuant to this chapter only by  
9 recording a declaration executed by the owner of the interest subject  
10 to this chapter in the same manner as a deed and by simultaneously  
11 recording a survey map and plans pursuant to RCW 64.34.232. The  
12 declaration and survey map and plans must be recorded in every county  
13 in which any portion of the condominium is located, and the  
14 condominium shall not have the same name as any other existing  
15 condominium, whether created under this chapter or under chapter  
16 64.32 RCW, in any county in which the condominium is located.

17       (2) A declaration or an amendment to a declaration adding units  
18 to a condominium may not be recorded unless (a) all structural  
19 components and mechanical systems of all buildings containing or  
20 comprising any units thereby created are substantially completed as  
21 evidenced by a recorded certificate of completion executed by the  
22 declarant which certificate may be included in the declaration or the  
23 amendment, the survey map and plans to be recorded pursuant to RCW  
24 64.34.232, or a separately recorded written instrument, and (b) all  
25 horizontal and vertical boundaries of such units are substantially  
26 completed in accordance with the plans required to be recorded by RCW  
27 64.34.232, as evidenced by a recorded certificate of completion  
28 executed by a licensed surveyor.

29       (3) For a condominium established after the effective date of  
30 this section, a unit owners' association must record bylaws and  
31 amendments to the bylaws in every county in which any portion of the  
32 association is located in the same manner as a deed, and the bylaws  
33 and amendments are effective only upon recording.

--- END ---