



Two new bills relating specifically to HOAs have recently been signed into law and take effect in early September. Several of the highlights are below.

HB 21-1229 - Effective September 7, 2021.

Nonvegetative Turf Grass - Associations may not prohibit use of nonvegetative turf grass in the backyard of a residential property. The association may create design or aesthetic guidelines or rules except that the guidelines must not prohibit the use of the nonvegetative turf grass in the backyard.

Renewable Energy Generation Devices – rules/guidelines cannot increase the cost of the device by more than 10% or decrease the performance by more than 10%. The association may not require a period of review that exceeds 60 days after the application. The submission for a renewable energy generation device is automatically approved after 60 days. If denied, the association must describe the denial in reasonable detail.

Association Records – The association must provide, for purposes of document retention and production to owners, a list of current amounts of all “unique and extraordinary fees” chargeable by the association in connection with the purchase or sale of a unit that are not paid through assessments. This includes transfer fees and charges for a status letter or statement of assessments due.

In addition to the reasonable charge that an association may make for costs of labor and material for copies, the association may now include the costs of copying, mailing, and any necessary special processing.

Failure to allow inspection or copying within 30 days after written request (by certified mail) and payment of fees, the association is liable for penalties of \$50/day commencing on the 11th business day after the association received the written request. Max penalty is \$500 or the Owner’s actual damages, whichever is greater.

HB 21-1310 - Effective September 7, 2021.

Associations may not prohibit or regulate flags and window or yard signs based on subject matter, message, or content except for commercial messages. The association may establish reasonable content-neutral flag and sign regulations based on the number, placement, or size of the signs, flags and flagpoles. For signs, the rule may also be based on “other objective factors.”

For signs, the ability to prohibit them 45 days prior and 7 days after elections are gone. The requirement to allow one political sign per office or ballot issue is also gone.

To view these bills in their entirety, go [here](#) for HB 21-1310 and [here](#) for HB 21-1229.