

AMENDED IN ASSEMBLY APRIL 21, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1328

Introduced by Assembly Member Salas

February 27, 2009

An act to add Section 1353.9 to the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1328, as amended, Salas. Common interest developments: contracts.

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. Under existing law, a common interest development is managed by an association pursuant to the provisions of the governing documents of the development.

This bill would provide that, notwithstanding any provision of the governing documents to the contrary, an association may enter into a contract, regardless of the duration of the contract, if the board reasonably anticipates that the contract will result in verifiable savings *or other benefits* to the association, including establishing a water or energy efficiency program.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1353.9 is added to the Civil Code, to
2 read:

1 1353.9. Notwithstanding any provision of the governing
2 documents to the contrary, an association may enter into a contract,
3 regardless of the duration of the contract, if the board reasonably
4 anticipates that the contract will result in verifiable savings *or*
5 *other benefits* to the association, including, but not limited to,
6 establishing a water or energy efficiency program.

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