

HB 1676 -- Homeowner and Community Improvement Associations

Sponsor: Nichols

This bill requires current and future homeowner and community improvement associations to be organized and operated as nonprofit corporations under Chapter 355, RSMo, and to comply with the requirements under the chapter regarding insurance maintenance and dispute resolution.

The association must purchase and maintain commercial general liability insurance or its equivalent from a state-licensed insurer. The insurance policy must cover each homeowner with respect to the homeowner's liability relating to common areas, must waive the insurer's subrogation rights against any homeowner, and will be the primary insurance regardless of whether a homeowner has other insurance covering the same risk.

A declarant, association, or homeowner may bring a cause of action to enforce any right granted or obligation imposed by the declaration or bylaws of any homeowner or community improvement association, and the court may award reasonable attorney fees and costs to the prevailing party in the action. Parties to a dispute may agree to resolve the dispute by any form of alternative dispute resolution.