Department of Planning and Budget
2021 Special Session I Fiscal Impact Statement

1. **Bill Number:** HB1842

House of Origin	☐ Introduced	☐ Substitute	☐ Engrossed
Second House	☐ In Committee	☐ Substitute	☒ Enrolled

2. **Patron:** Keam

3. **Committee:** Passed Both Houses

4. **Title:** Property Owners' Association Act; Condominium Act; rulemaking authority.

5. **Summary:** Permits (i) except to the extent that the declaration provides otherwise, the board of directors of a property owners' association to establish reasonable rules that restrict smoking in the development, including (a) rules that prohibit smoking in the common areas and, (b) for developments that include attached private dwelling units, rules that prohibit smoking within such dwelling units, and (ii) except to the extent that the condominium instruments provide otherwise, the executive board of a condominium unit owners' association to establish reasonable rules that restrict smoking in the condominium, including rules that prohibit smoking in the common elements and within units. The bill clarifies the authority of executive boards of condominium unit owners' associations to establish, adopt and enforce rules and resolutions with respect to the use of the common elements of the condominium and with respect to such other areas of responsibility assigned to the unit owners' association by the condominium instruments, except where expressly reserved by the condominium instruments to the unit owners. The bill also permits unit owners, by a majority of votes cast at a meeting of the unit owners' association, to repeal or amend any rule or regulation adopted by the executive board. This bill is a recommendation of the Virginia Housing Commission.

6. **Budget Amendment Necessary**: No.

7. **Fiscal Impact Estimates:** Final. See Item 8.

8. **Fiscal Implications:** It is anticipated that this bill will not result in a fiscal impact to the Department of Professional and Occupational Regulation.

9. **Specific Agency or Political Subdivisions Affected:** Department of Professional and Occupational Regulation.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.