

Westlaw.

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C.R.S.A. § 38-33.3-120

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West's Colorado Revised Statutes Annotated Currentness

Title 38. Property--Real and Personal

Real Property

Interests in Land

▣ Article 33.3. Colorado Common Interest Ownership Act (Refs & Annos)

▣ Part 1. General Provisions

→ § 38-33.3-120. Amendments to preexisting governing instruments

(1) In the case of amendments to the declaration, bylaws, or plats and maps of any common interest community created within this state before July 1, 1992, which has not elected treatment under this article pursuant to section 38-33.3-118:

(a) If the substantive result accomplished by the amendment was permitted by law in effect prior to July 1, 1992, the amendment may be made either in accordance with that law, in which case that law applies to that amendment, or it may be made under this article; and

(b) If the substantive result accomplished by the amendment is permitted by this article, and was not permitted by law in effect prior to July 1, 1992, the amendment may be made under this article.

(2) An amendment to the declaration, bylaws, or plats and maps authorized by this section to be made under this article must be adopted in conformity with the procedures and requirements of the law that applied to the common interest community at the time it was created and with the procedures and requirements specified by those instruments. If an amendment grants to any person any rights, powers, or privileges permitted by this article, all correlative obligations, liabilities, and restrictions in this article also apply to that person.

(3) An amendment to the declaration may also be made pursuant to the procedures set forth in section 38-33.3-217(7).

CREDIT(S)

Added by Laws 1991, H.B.91-1292, § 1, eff. July 1, 1992. Amended by Laws 2002, Ch. 212, § 2, eff. Aug. 7, 2002.

HISTORICAL AND STATUTORY NOTES

2005 Electronic Pocket Part Update

Laws 2002, Ch. 212, § 2 added subsec. (3).

2000 Main Volume

Uniform Law:

This section is similar to § 1-206 of the Uniform Common Interest Ownership Act. See 7 Uniform Laws

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