

SENATE BILL NO. 160

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATOR MYERS

Introduced: 1/16/24

Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to planned communities; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 34.08.190 is amended to read:

4 **Sec. 34.08.190. Alterations of units.** Subject to the provisions of the
5 declaration and other provisions of law, a unit owner

6 (1) may make an improvement or alteration to the unit that does not
7 impair the structural integrity or mechanical systems or lessen the support of a portion
8 of the common interest community;

9 (2) may **change the exterior appearance of those portions of the**
10 **owner's unit in a planned community that are not visible to another unit owner**
11 **or to the public** [NOT CHANGE THE APPEARANCE OF THE COMMON
12 ELEMENTS OR THE EXTERIOR APPEARANCE OF A UNIT OR ANY
13 PORTION OF THE COMMON INTEREST COMMUNITY WITHOUT
14 PERMISSION OF THE ASSOCIATION];

15 (3) **may**, after acquiring an adjoining unit or an adjoining part of an

1 adjoining unit, [MAY] remove or alter an intervening partition or create apertures in
 2 the partition, even if the partition in whole or in part is a common element, if the
 3 removal or alteration

4 (A) does not impair the structural integrity or mechanical
 5 systems or lessen the support of a portion of the common interest community;
 6 and

7 (B) is completed according to applicable codes and in a skillful
 8 and workmanlike manner;

9 **(4) may not, except as provided in (2) of this section, change the**
 10 **exterior appearance of a unit or any portion of the common interest community**
 11 **without permission of the association** [. REMOVAL OF PARTITIONS OR
 12 CREATION OF APERTURES UNDER THIS PARAGRAPH IS NOT AN
 13 ALTERATION OF BOUNDARIES].

14 * **Sec. 2.** AS 34.08.190 is amended by adding a new subsection to read:

15 (b) Removal of partitions or creation of apertures under (a)(3) of this section is
 16 not an alteration of boundaries.

17 * **Sec. 3.** AS 34.08.470 is amended by adding a new subsection to read:

18 (l) A lien on a unit in a planned community may not be foreclosed under (j)(1)
 19 of this section unless the association has offered the unit owner a payment plan under
 20 which the owner may repay the delinquent sum over an extended period of time.

21 * **Sec. 4.** AS 34.08 is amended by adding a new section to read:

22 **Sec. 34.08.715. Discrimination based on method of payment prohibited.** (a)
 23 A unit owners' association of a planned community may not include or enforce any
 24 contractual provision that prohibits or restricts a unit owner from leasing or renting a
 25 unit to a person based on the person's method of payment.

26 (b) In this section, "method of payment" includes rental assistance from a
 27 local, state, federal, or nonprofit-administered benefit or subsidy program, including
 28 the federal voucher program administered under 42 U.S.C. 1437f.

29 * **Sec. 5.** This Act takes effect January 1, 2025.