

Senate File 2292

S-5024

1 Amend Senate File 2292 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. **462A.17A Common interest**
5 **communities — regulation of watercraft on public lakes.**

6 1. As used in this section:

7 *a.* "Bylaws" means the same as defined in section 499C.1.

8 *b.* "Common interest community" means the same as defined in
9 section 499C.1.

10 *c.* "Public lake" means any lake located within the
11 boundaries of this state that is a navigable body of water and
12 that is lawfully accessible by the general public.

13 *d.* "Rule" means the same as defined in section 499C.1.

14 *e.* "Unit" means the same as defined in section 499C.1.

15 *f.* "Unit owner" means the same as defined in section 499C.1.

16 2. Notwithstanding any law to the contrary, a common
17 interest community with one thousand or more units that is
18 adjacent to or abutting in part a public lake may establish
19 policies in the common interest community's bylaws or rules
20 regarding the operation of watercraft, including but not
21 limited to equipment specifications. The authority granted to
22 a common interest community under this subsection shall only
23 apply to unit owners and unit owners' guests.

24 3. Notwithstanding section 462A.32, a common interest
25 community may communicate the common interest community's
26 policies established under subsection 2 through the use of
27 private buoys and other safety-related installations until
28 the date the commission adopts rules regulating buoys and
29 other safety-related installations for the public lake that is
30 adjacent to or abuts the common interest community described in
31 subsection 2.

32 4. The natural resource commission shall adopt rules
33 pursuant to chapter 17A to administer this section.

34 Sec. 2. NEW SECTION. **462A.17B Nonprofit corporations —**
35 **regulation of watercraft on public lakes.**

1 1. As used in this section:

2 a. "*Association*" means a nonprofit corporation incorporated
3 under chapter 504, named as an association, and that manages a
4 community with one thousand or more units that is located on a
5 subdivision that is adjacent to or abuts a public lake.

6 b. "*Bylaws*" means the same as defined in section 504.141.

7 c. "*Member*" means a person who is a record lot owner of the
8 association.

9 d. "*Public lake*" means any lake located within the
10 boundaries of this state that is a navigable body of water and
11 that is lawfully accessible by the general public.

12 e. "*Rules and regulations*" means the rules and regulations
13 adopted by the association's board of directors as authorized
14 by the bylaws of the association.

15 f. "*Unit*" means a dwelling unit designated for separate
16 ownership or occupancy or as otherwise defined in the statute
17 under which the association is organized.

18 2. Notwithstanding any law to the contrary, an association
19 may establish policies in the association's rules and
20 regulations regarding the operation of watercraft, including
21 but not limited to equipment specifications. The authority
22 granted to an association under this subsection shall only
23 apply to the association's members and the association's
24 members' guests.

25 3. Notwithstanding section 462A.32, an association may
26 communicate the association's policies established under
27 subsection 2 through the use of private buoys and other
28 safety-related installations until the date the commission
29 adopts rules regulating buoys and other safety-related
30 installations for the public lake that is adjacent to or abuts
31 the association.

32 4. The natural resource commission shall adopt rules
33 pursuant to chapter 17A to administer this section.

34 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
35 importance, takes effect upon enactment.>

1 2. Title page, by striking lines 1 through 3 and
2 inserting <An Act relating to regulation of watercraft and
3 equipment on public lakes by common interest communities and
4 certain nonprofit corporations, and including effective date
5 provisions.>

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