

1 S.50

2 Introduced by Senator MacDonald

3 Referred to Committee on

4 Date:

5 Subject: Real property; conveyance of real estate; time-shares

6 Statement of purpose of bill as introduced: This bill proposes to allow
7 time-share owners to convey by gift their time-share interest without cost to a
8 developer or association upon one year's notice and payment of associated
9 costs.

10 An act relating to conveying time-share interests

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 27 V.S.A. § 607 is amended to read:

13 § 607. TIME-SHARES; RIGHT TO CANCEL; RIGHT TO CONVEY BY

14 GIFT

15 (a) For the purposes of this section, a “time-share” means an interest in a
16 project involving real property acquired by means of a time-share estate or a
17 time-share license. A “time-share estate” is a right to occupy a unit or any of
18 several units during separated time periods coupled with a freehold estate or an
19 estate for years in a time-share property or a specified portion thereof. A
20 “time-share license” means a right to occupy a unit or any of several units

1 including renewal options, not coupled with a freehold estate or an estate for
2 years.

3 * * *

4 (e)(1) As used in this subsection, an “eligible recipient” means:

5 (A)(i) the declarant of a common interest community if the declarant
6 retains an ownership interest in a unit or any special declarant rights in the
7 common interest community; or

8 (ii) if the declarant of a common interest community no longer
9 possesses any ownership interest in a unit or any special declarant rights in the
10 common interest community;

11 (I) the unit owner’s association of the planned community in
12 which the time-share unit is located; or

13 (II) the unit owners of the condominium development in which
14 the time-share unit is located; or

15 (B) the cooperative housing corporation of the housing cooperative in
16 which the time-share unit is located.

17 (2) A time-share owner shall have the right to convey his or her
18 time-share by gift to an eligible recipient and the eligible recipient shall have
19 the duty to accept a conveyance by gift made pursuant to this subsection if:

1 (A) the time-share owner provides written notice to the eligible
2 recipient of his or her intent to convey the time-share by gift not less than one
3 year following the date of the notice;

4 (B) the time-share is free of encumbrances at the time of the
5 conveyance; and

6 (C) the time-share owner pays the costs of the conveyance, which
7 may include costs for preparing and recording documents necessary to effect
8 the conveyance but shall not include any costs or penalties imposed by the
9 recipient.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2013.