

**381.786 Planned communities subject to KRS 381.785 to 381.801 -- Filing of declaration.**

- (1) Notwithstanding subsection (3) of this section, all planned communities in this Commonwealth are subject to the provisions of KRS 381.785 to 381.801. Unless specifically stated, nothing in KRS 381.785 to 381.801 shall invalidate any provision of a document that governs a planned community if that provision was in the document at the time the document was recorded and the document was adopted or recorded prior to June 29, 2023.
- (2) After June 29, 2023, no person shall establish a planned community unless the person files and records a declaration for that planned community in the office of the county clerk of the county or counties in which the planned community is located.
- (3) The provisions of KRS 381.785 to 381.801 shall not apply to current developments or neighborhoods that do not have a homeowners' association that meet the definition of a planned community in KRS 381.785. Subsection (2) of this section shall only apply to homeowners' associations or planned communities formed after June 29, 2023.

**Effective:** June 29, 2023

**History:** Created 2023 Ky. Acts ch. 23, sec. 2, effective June 29, 2023.