



General Assembly

February Session, 2010

Amendment

LCO No. 4018

HB0543404018HDO

Offered by:
REP. OLSON, 46th Dist.

To: Subst. House Bill No. 5434 File No. 551 Cal. No. 353

**"AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO
THE COMMON INTEREST OWNERSHIP ACT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (b) of section 47-250 of the 2010 supplement to
4 the general statutes, as amended by section 25 of public act 09-225, is
5 repealed and the following is substituted in lieu thereof (*Effective July*
6 *1, 2010*):

7 (b) The following requirements apply to meetings of the executive
8 board and committees of the association authorized to act for the
9 association:

10 (1) Meetings shall be open to the unit owners and to a representative
11 designated by any unit owner except during executive sessions. The
12 executive board and those committees may hold an executive session
13 only during a regular or special meeting of the board or a committee.
14 No final vote or action may be taken during an executive session. An

15 executive session may be held only to: (A) Consult with the
16 association's attorney concerning legal matters; (B) discuss existing or
17 potential litigation or mediation, arbitration or administrative
18 proceedings; (C) discuss labor or personnel matters; (D) discuss
19 contracts, leases and other commercial transactions to purchase or
20 provide goods or services currently being negotiated, including the
21 review of bids or proposals, if premature general knowledge of those
22 matters would place the association at a disadvantage; or (E) prevent
23 public knowledge of the matter to be discussed if the executive board
24 or committee determines that public knowledge would violate the
25 privacy of any person.

26 (2) For purposes of this section, a gathering of board members at
27 which the board members do not conduct association business is not a
28 meeting of the executive board. The executive board and its members
29 may not use incidental or social gatherings of board members or any
30 other method to evade the open meeting requirements of this section.

31 (3) Notwithstanding any actions taken by unanimous consent
32 pursuant to subdivision (8) of subsection (b) of this section, during and
33 after the period of declarant control, the executive board shall meet at
34 least two times a year at the common interest community or at a place
35 convenient to the community. Those meetings, and after termination of
36 the period of declarant control, all executive board meetings, shall be
37 at the common interest community or at a place convenient to the
38 community unless the bylaws are amended to vary the location of
39 those meetings.

40 (4) At each executive board meeting, the executive board shall
41 provide a reasonable opportunity for unit owners to comment
42 regarding any matter affecting the common interest community and
43 the association.

44 (5) Unless the meeting is included in a schedule given to the unit
45 owners or the meeting is called to deal with an emergency, the
46 secretary or other officer specified in the bylaws shall give notice of

47 each executive board meeting to each board member and to the unit
48 owners. The notice shall be given at least [ten] five days before the
49 meeting and shall state the time, date, place and agenda of the
50 meeting, except that notice of a meeting called to adopt, amend or
51 repeal a rule shall be given in accordance with subsection (a) of section
52 47-261b, as amended by this act.

53 (6) If any materials are distributed to the executive board before the
54 meeting, the executive board at the same time shall make copies of
55 those materials reasonably available to unit owners, except that the
56 board need not make available copies of unapproved minutes or
57 materials that are to be considered in executive session.

58 (7) Unless prohibited by the declaration or bylaws, the executive
59 board may meet by telephonic, video or other conferencing process if
60 (A) the meeting notice states the conferencing process to be used and
61 provides information explaining how unit owners may participate in
62 the conference directly or by meeting at a central location or
63 conference connection; and (B) the process provides all unit owners the
64 opportunity to hear or perceive the discussion and offer comments as
65 provided in subdivision (4) of this subsection.

66 (8) Instead of meeting, the executive board may act by unanimous
67 consent as documented in a record authenticated by all its members.
68 The secretary promptly shall give notice to all unit owners of any
69 action taken by unanimous consent.

70 (9) Even if an action by the executive board is not in compliance
71 with this section, it is valid unless set aside by a court. A challenge to
72 the validity of an action of the executive board for failure to comply
73 with this section may not be brought more than sixty days after the
74 minutes of the executive board of the meeting at which the action was
75 taken are approved or the record of that action is distributed to unit
76 owners, whichever is later."