

HOUSE No. 1240

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to meetings of condominium or homeowners associations..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 183A of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting at the end of section ten the following paragraphs:-

3 (o) All unit owners shall be given reasonable notice of all regularly scheduled open
4 meetings of the organization of unit owners;

5 (p) All meetings of the organization of unit owners, including meetings of the board of
6 directors or other governing body shall be open to all unit owners and/or any person designated
7 by a member in writing as the member’s representative and all members or designated
8 representatives so desiring shall be permitted to attend and speak at an appropriate time during
9 the deliberations and proceedings.

10 (q) A meeting of the board of directors or other governing body of the organization of
11 unit owners or a committee of the organization of unit owners may be held in closed session only
12 for the following purposes:

- 13 (1) Discussion of matters pertaining to reputation, character, physical condition or
14 mental
- 15 health rather than the professional competence of an employee and personnel;
- 16 (2) Protection of the privacy or reputation of individuals in matters not related to the
17 organization of unit owner's business;
- 18 (3) Consultation with legal counsel;
- 19 (4) Consultation with staff personnel, consultants, attorneys, or other persons in
20 connection
- 21 with pending or potential litigation;
- 22 (5) Investigative proceedings concerning possible or actual criminal misconduct;
- 23 (6) Consideration of the terms or conditions of a business transaction in the
24 negotiation stage if
- 25 the disclosure could adversely affect the economic interests of the organization of
26 unit
- 27 owners;
- 28 (7) Compliance with a specific constitutional, statutory, or judicially imposed
29 requirement
- 30 protecting particular proceedings or matters from public disclosure
- 31 (r) If a meeting is held in closed session under paragraph (q) of this section:

32 An action may not be taken and a matter may not be discussed if it is not permitted by
33 paragraph (q) of this section; and

34 A statement of the time, place, and purpose of a closed meeting, the record of the vote of
35 each board or committee member by which the meeting was closed, the authority
36 under this section for closing a meeting, and the outcome, shall be included in the
37 minutes of the next meeting of the board of directors or the committee of the organization
38 of unit owners.