

SENATE No. 654

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the condominiums board of directors' closed meetings..

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 1998 Official
2 Edition, is hereby amended by inserting the at the end thereof the following new section:

3 SECTION 23. Unless otherwise specified in this section, the meeting of the board of
4 directors shall be made available to the public and board shall provide documentation about said
5 meeting, send notices of said meeting and provide minutes of the previous meetings. A meeting
6 of the board of directors may be held in closed session only for the following purposes:

- 7 (1) Discussion of matters pertaining to employees and personnel;
- 8 (2) Protection of the privacy or reputation of individuals in matters not related to the
9 council of unit owners, business;
- 10 (3) Consultation with legal counsel;
- 11 (4) Consultation with staff personnel, consultants, attorneys, or other persons in
12 connection with pending or potential litigation;

13 (5) Investigative proceedings concerning possible or actual criminal misconduct;

14 (6) Complying with a specific constitutional, statutory, or judicially imposed
15 requirement protecting particular proceedings or matters from public disclosure; or

16 (7) On an individually recorded affirmative vote of two-thirds of the board members
17 present, for some other exceptional reason so compelling as to override the general public policy
18 in favor of open meetings.

19 Certain statements, records, and authority required in minutes shall be included. If a
20 meeting is held in closed session under this section, no action may be taken and a matter may not
21 be discussed if it is not permitted under this section. A statement of the time, place, and purpose
22 of any closed meeting, the record of the vote of each board member by which any meeting was
23 closed, and the authority under this section for closing any meeting shall be included in the
24 minutes of the next meeting of the board of directors.