

**HOUSE . . . . . No. 376**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***John W. Scibak***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to meetings of condominium or homeowners associations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>9/27/2012</i>

**HOUSE . . . . . No. 376**

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 376) of John W. Scibak for legislation to further regulate condominium or homeowners associations meetings. Housing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1240 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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.