

HOUSE No. 1148

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>1/4/2013</i>

HOUSE No. 1148

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 1148) of John W. Scibak for legislation to further regulate condominium or homeowners associations meetings. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 376 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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. Section 10 of Chapter 183A of the General Laws is hereby amended by
2 inserting after subsection (n) the following subsections:-

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 health rather than the professional competence of an employee and personnel;

15 (2) Protection of the privacy or reputation of individuals in matters not related to the
16 organization of unit owner's business;

17 (3) Consultation with legal counsel;

18 (4) Consultation with staff personnel, consultants, attorneys, or other persons in
19 connection with pending or potential litigation;

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

21 (6) Consideration of the terms or conditions of a business transaction in the
22 negotiation stage if the disclosure could adversely affect the economic interests of the
23 organization of unit owners;

24 (7) Compliance with a specific constitutional, statutory, or judicially imposed
25 requirement protecting particular proceedings or matters from public disclosure

26 (r) If a meeting is held in closed session under paragraph (q) of this section: An action
27 may not be taken and a matter may not be discussed if it is not permitted by paragraph (q) of this
28 section; and A statement of the time, place, and purpose of a closed meeting, the record of the
29 vote of each board or committee member by which the meeting was closed, the authority under
30 this section for closing a meeting, and the outcome, shall be included in the minutes of the next
31 meeting of the board of directors or the committee of the organization of unit owners.