HOUSE DOCKET, NO. 2298 FILED ON: 2/17/2021

HOUSE . . . . . No. 1416

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan

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 electronic meetings and voting in condominiums.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kevin G. Honan	*17th Suffolk*	*2/17/2021*

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HOUSE . . . . . No. 1416

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 1416) of Kevin G. Honan relative to electronic meetings and voting in condominiums. Housing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to electronic meetings and voting in condominiums.

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

Chapter 183A of the General Laws is hereby amended by adding the following section:-

Section 24. Notwithstanding any provisions in the master deed, declaration of trust or bylaws of any condominium submitted to the provisions of this chapter to the contrary:

(a) The governing body of the organization of unit owners may conduct any regularly scheduled or special meeting of said governing body by telephonic or video conference call, or by interactive electronic communication process provided that all participants can hear all conversations. Presence by such electronic means shall constitute presence for purposes of any quorum requirements. The governing body may vote on any action properly before them and approve minutes of any meeting through the use of electronic means as approved by the governing body, including, but not limited to, email, video conferencing, fax machine, or PDF files transmitted over the internet.

(b) The governing body of the organization of unit owners may conduct any annual or special meeting of the unit owners where the unit owners are not physically present at the meeting, but are able to participate in said meeting by telephonic or video conference call, or by other interactive electronic communication process as determined by the governing body. In the event the governing body determines to hold any such unit owner meeting by telephonic, video or other electronic communication process, the governing body shall notify all unit owners of that decision in the notice of such meeting, and provide access information to allow all unit owners to participate in such meeting by such telephonic, video or other interactive electronic communication process. Participation by a unit owner via telephonic, video or other interactive electronic communication process shall constitute presence at the meeting for purposes of any quorum requirements. Any unit owner meetings held by telephonic, video or other interactive electronic communication process shall provide reasonable measures to ensure that unit owners are afforded an opportunity to participate in the meeting, including the ability to read or hear the proceedings of the meeting and pose questions and comments.

(c) The governing body of the organization of unit owners may permit the unit owners to vote on any matters properly before such unit owners by mail-in ballot or by electronic means (including by website, voting software and/or e-mail voting) provided that unit owners constituting a quorum participate in such vote. The governing body may, from time to time, pursuant to its rule-making authority set forth in the governing documents of the organization of unit owners, promulgate and amend policies related to the use and implementation of electronic meetings and voting. In the event the master deed, declaration of trust, or bylaws of the condominium, or any provisions of MGL c. 183A require the signature or written consent of the

unit owners for a certain matter, unit owners shall be entitled to submit their signatures or written consents using electronic means as determined by the governing body.