

HOUSE No.

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 passage of the accompanying bill:

An Act relative to meetings of condominium or homeowners associations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John W. Scibak	2nd Hampshire
William J. O'Brien	111 Pine Grove Dr. South Hadley, MA 01075

The Commonwealth of Massachusetts

In the Year Two Thousand and 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 Edition, is
2 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 meetings of the
4 organization of unit owners;

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

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

12 (1) Discussion of matters pertaining to reputation, character, physical condition or mental

- 13 health rather than the professional competence of an employee and personnel;
- 14 (2) Protection of the privacy or reputation of individuals in matters not related to the
15 organization of unit owner's business;
- 16 (3) Consultation with legal counsel;
- 17 (4) Consultation with staff personnel, consultants, attorneys, or other persons in connection
18 with pending or potential litigation;
- 19 (5) Investigative proceedings concerning possible or actual criminal misconduct;
- 20 (6) Consideration of the terms or conditions of a business transaction in the negotiation stage if
21 the disclosure could adversely affect the economic interests of the organization of unit
22 owners;
- 23 (7) Compliance with a specific constitutional, statutory, or judicially imposed requirement
24 protecting particular proceedings or matters from public disclosure
- 25 (r) If a meeting is held in closed session under paragraph (q) of this section:
- 26 (1) An action may not be taken and a matter may not be discussed if it is not permitted by
27 paragraph (q) of this section; and
- 28 (2) A statement of the time, place, and purpose of a closed meeting, the record of the vote of
29 each board or committee member by which the meeting was closed, the authority
30 under this section for closing a meeting, and the outcome, shall be included in the
31 minutes of the next meeting of the board of directors or the committee of the organization
32 of unit owners.