

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Morrissey, Michael (SEN)

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 the condominiums board of directors' closed meetings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Morrissey, Michael (SEN)	Norfolk and Plymouth
Phyllis Feinstien	200 Falls Blvd. G101 Quincy, MA 02169

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00769 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and 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 directors
4 shall be made available to the public and board shall provide documentation about said meeting,
5 send notices of said meeting and provide minutes of the previous meetings. A meeting of the
6 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 council of
9 unit owners, business;

10 (3) Consultation with legal counsel;

11 (4) Consultation with staff personnel, consultants, attorneys, or other persons in connection with
12 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 requirement
15 protecting particular proceedings or matters from public disclosure; or

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

19 Certain statements, records, and authority required in minutes shall be included. If a meeting is
20 held in closed session under this section, no action may be taken and a matter may not be
21 discussed if it is not permitted under this section. A statement of the time, place, and purpose of
22 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.