

SENATE BILL 171

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9lr1251
CF HB 553

By: **Senators Lenett and Kittleman**

Introduced and read first time: January 21, 2009

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2009

CHAPTER _____

1 AN ACT concerning

2 **Maryland Condominium Act – Closed Meetings of Board of Directors**

3 FOR the purpose of repealing a certain condition on which a meeting of the board of
4 directors of a condominium council of unit owners may be held in closed session;
5 altering certain conditions on which a meeting of a board of directors may be
6 held in closed session; authorizing a board of directors to hold a meeting in
7 closed session in order to discuss an individual owner assessment account; and
8 generally relating to closed meetings of the board of directors of a council of unit
9 owners.

10 BY repealing and reenacting, with amendments,
11 Article – Real Property
12 Section 11–109.1(a)
13 Annotated Code of Maryland
14 (2003 Replacement Volume and 2008 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Real Property**

18 11–109.1.

19 (a) A meeting of the board of directors may be held in closed session only for
20 the following purposes:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



SENATE BILL 171

- 1 (1) Discussion of matters pertaining to employees and personnel;
- 2 (2) Protection of the privacy or reputation of individuals in matters not
3 related to the council of unit owners' business;
- 4 (3) Consultation with legal counsel ON LEGAL MATTERS;
- 5 (4) Consultation with staff personnel, consultants, attorneys, BOARD
6 MEMBERS, or other persons in connection with pending or potential litigation OR
7 OTHER LEGAL MATTERS;
- 8 (5) Investigative proceedings concerning possible or actual criminal
9 misconduct; ~~OR~~
- 10 (6) Complying with a specific constitutional, statutory, or judicially
11 imposed requirement protecting particular proceedings or matters from public
12 disclosure[; or
- 13 (7) On an individually recorded affirmative vote of two-thirds of the
14 board members present, for some other exceptional reason so compelling as to override
15 the general public policy in favor of open meetings]; OR
- 16 **(7) DISCUSSION OF INDIVIDUAL OWNER ASSESSMENT ACCOUNTS.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2009.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.