

CHAPTER 38

(Senate Bill 171)

AN ACT concerning

Maryland Condominium Act – Closed Meetings of Board of Directors

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

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

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

Article – Real Property

11–109.1.

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

- (1) Discussion of matters pertaining to employees and personnel;
- (2) Protection of the privacy or reputation of individuals in matters not related to the council of unit owners' business;
- (3) Consultation with legal counsel ON LEGAL MATTERS;
- (4) Consultation with staff personnel, consultants, attorneys, BOARD MEMBERS, or other persons in connection with pending or potential litigation OR OTHER LEGAL MATTERS;
- (5) Investigative proceedings concerning possible or actual criminal misconduct; ~~OR~~

(6) Complying with a specific constitutional, statutory, or judicially imposed requirement protecting particular proceedings or matters from public disclosure[; or

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

(7) DISCUSSION OF INDIVIDUAL OWNER ASSESSMENT ACCOUNTS.

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

Approved by the Governor, April 14, 2009.