

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 865
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “corporation;” in line 12; in line 24, after “body;” insert “requiring the governing body of a cooperative housing corporation to keep books and records in a certain manner; requiring the governing body of a cooperative housing corporation to cause an audit of the books and records under certain circumstances;”; and strike beginning with “requiring” in line 24 down through “date” in line 25.

On page 2, strike beginning with “or” in line 1 down through “circumstances;” in line 15; in line 31, after “action” insert “in court”; and in line 38, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”.

On page 3, in line 4, strike “5-6B-32” and substitute “5-6B-31”; and in line 11, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 7 through 10, inclusive; and in lines 11, 22, 28, and 30, strike “**(K)**”, “**(L)**”, “**(M)**”, and “**(N)**”, respectively, and substitute “**(J)**”, “**(K)**”, “**(L)**”, and “**(M)**”, respectively.

On page 5, in lines 1, 3, 4, 9, 17, and 27, strike “**(O)**”, “**(P)**”, “**(Q)**”, “**(R)**”, “**(S)**”, and “**(T)**”, respectively, and substitute “**(N)**”, “**(O)**”, “**(P)**”, “**(Q)**”, “**(R)**”, and “**(S)**”, respectively.

On page 6, in lines 5 and 7, strike “**(U)**” and “**(V)**”, respectively, and substitute “**(T)**” and “**(U)**”, respectively.

(Over)

On page 9, after line 10, insert:

“(A) THE GOVERNING BODY SHALL KEEP BOOKS AND RECORDS IN ACCORDANCE WITH GOOD ACCOUNTING PRACTICES.

(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON THE REQUEST OF THE MEMBERS OF AT LEAST 5 PERCENT OF THE UNITS, THE GOVERNING BODY SHALL CAUSE AN AUDIT OF THE BOOKS AND RECORDS TO BE MADE BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT.

(II) AN AUDIT MAY NOT BE MADE MORE THAN ONCE IN ANY CONSECUTIVE 12-MONTH PERIOD.

(2) THE COST OF THE AUDIT SHALL BE A COMMON EXPENSE.”;

and strike in their entirety lines 11 through 32, inclusive.

On pages 10 and 11, strike in their entirety the lines beginning with line 1 on page 10 through line 7 on page 11, inclusive, and substitute “**5-6B-29.**”.

On page 11, in line 17, strike “**5-6B-31.**” and substitute “**5-6B-30.**”.

AMENDMENT NO. 3

On page 9, in line 4, strike “**THE AREA THAT THE GOVERNING BODY**” and substitute “**ANY AREA THAT IS GENERALLY OPEN TO ALL MEMBERS**”; and in line 5, strike “**USES FOR SCHEDULED MEETINGS**”.

On page 11, in line 24, after “**ACTION**” insert “**IN COURT**”.

On page 13, in line 22, strike “COUNSEL” and substitute “REASONABLE ATTORNEYS”; and in line 28, strike “**5-6B-32.**” and substitute “**5-6B-31.**”.

On page 14, in line 1, after “ACTION” insert “IN COURT”; in line 8, strike “**§ 5-6B-31**” and substitute “**§ 5-6B-30**”; and in line 5, strike “**6**” and substitute “**3**”.

AMENDMENT NO. 4

On page 7, strike in their entirety lines 1 through 3, inclusive.

On page 11, in line 16, strike “**15**” and substitute “**10**”.