
By: **Senators Green, Currie, Forehand, Frosh, Garagiola, Giannetti, and Hogan**

Introduced and read first time: January 30, 2003

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Condominium Act - Meetings of Council of Unit Owners - Quorum**

3 FOR the purpose of authorizing an additional meeting of the council of unit owners of
4 a condominium to be called under certain conditions if the number of persons
5 present at a properly called meeting is insufficient to constitute a quorum;
6 requiring a certain notice of the additional meeting to be given in a certain
7 manner; requiring the notice to contain certain information; providing that the
8 unit owners present in person or by proxy at the additional meeting constitute a
9 quorum; authorizing certain actions to be taken at the additional meeting; and
10 generally relating to meetings of a condominium council of unit owners.

11 BY repealing and reenacting, with amendments,
12 Article - Real Property
13 Section 11-109(c)(8)
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 2002 Supplement)

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

18 **Article - Real Property**

19 11-109.

20 (c) (8) (I) Unless the bylaws provide otherwise, a quorum is deemed
21 present throughout any meeting of the council of unit owners if persons entitled to
22 cast 25 percent of the total number of votes appurtenant to all units are present in
23 person or by proxy.

24 (II) IF THE NUMBER OF PERSONS PRESENT AT A PROPERLY CALLED
25 MEETING OF THE COUNCIL OF UNIT OWNERS IS INSUFFICIENT TO CONSTITUTE A
26 QUORUM, ANOTHER MEETING OF THE COUNCIL OF UNIT OWNERS MAY BE CALLED
27 FOR THE SAME PURPOSE IF:

1 1. THE NOTICE OF THE MEETING STATED THAT THE
2 PROCEDURE AUTHORIZED BY THIS PARAGRAPH MIGHT BE INVOKED; AND

3 2. BY MAJORITY VOTE, THE UNIT OWNERS PRESENT IN
4 PERSON OR BY PROXY CALL FOR THE ADDITIONAL MEETING.

5 (III) 1. FIFTEEN DAYS' NOTICE OF THE TIME, PLACE, AND
6 PURPOSE OF THE ADDITIONAL MEETING SHALL BE GIVEN BY ADVERTISEMENT IN A
7 NEWSPAPER PUBLISHED IN THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE
8 COUNCIL OF UNIT OWNERS IS LOCATED.

9 2. THE NOTICE SHALL CONTAIN THE QUORUM AND VOTING
10 PROVISIONS OF SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

11 (IV) 1. AT THE ADDITIONAL MEETING, THE UNIT OWNERS
12 PRESENT IN PERSON OR BY PROXY CONSTITUTE A QUORUM.

13 2. UNLESS THE BYLAWS PROVIDE OTHERWISE, A MAJORITY
14 OF THE UNIT OWNERS PRESENT IN PERSON OR BY PROXY:

15 A. MAY APPROVE OR AUTHORIZE THE PROPOSED ACTION AT
16 THE ADDITIONAL MEETING; AND

17 B. MAY TAKE ANY OTHER ACTION THAT COULD HAVE BEEN
18 TAKEN AT THE ORIGINAL MEETING IF A SUFFICIENT NUMBER OF UNIT OWNERS HAD
19 BEEN PRESENT.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2003.