

SENATE BILL 258

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2003 Regular Session
3r1779
CF 3r2281

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

Introduced and read first time: January 30, 2003
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 20, 2003

CHAPTER _____

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 in person or by proxy at a properly called meeting is insufficient to
6 constitute a quorum; requiring a certain notice of the additional meeting to be
7 ~~given in a certain manner~~ delivered or mailed to each unit owner at a certain
8 address; requiring the notice to contain certain information; providing that the
9 unit owners present in person or by proxy at the additional meeting constitute a
10 quorum; authorizing certain actions to be taken at the additional meeting;
11 providing for the construction of this Act; and generally relating to meetings of a
12 condominium council of unit owners.

13 BY repealing and reenacting, with amendments,
14 Article - Real Property
15 Section 11-109(c)(8)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2002 Supplement)

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

1

Article - Real Property

2 11-109.

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

7 (II) IF THE NUMBER OF PERSONS PRESENT IN PERSON OR BY
8 PROXY AT A PROPERLY CALLED MEETING OF THE COUNCIL OF UNIT OWNERS IS
9 INSUFFICIENT TO CONSTITUTE A QUORUM, ANOTHER MEETING OF THE COUNCIL OF
10 UNIT OWNERS MAY BE CALLED FOR THE SAME PURPOSE IF:

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

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

15 (III) 1. FIFTEEN DAYS' NOTICE OF THE TIME, PLACE, AND
16 PURPOSE OF THE ADDITIONAL MEETING SHALL BE ~~GIVEN BY ADVERTISEMENT IN A~~
17 ~~NEWSPAPER PUBLISHED IN THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE~~
18 ~~COUNCIL OF UNIT OWNERS IS LOCATED~~ DELIVERED OR MAILED TO EACH UNIT
19 OWNER AT THE ADDRESS SHOWN ON THE ROSTER MAINTAINED UNDER PARAGRAPH
20 (2) OF THIS SUBSECTION.

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

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

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

27 A. MAY APPROVE OR AUTHORIZE THE PROPOSED ACTION AT
28 THE ADDITIONAL MEETING; AND

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

32 (V) THIS PARAGRAPH MAY NOT BE CONSTRUED TO AFFECT THE
33 PERCENTAGE OF VOTES REQUIRED TO AMEND THE DECLARATION OR BYLAWS OR TO
34 TAKE ANY OTHER ACTION REQUIRED TO BE TAKEN BY A SPECIFIED PERCENTAGE OF
35 VOTERS.

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

