

## NEW LAW REGARDING BOARD MEETINGS

Senate Bill 563 was signed into law on September 6. Following is a summary of the relevant provisions.



**Notice of Executive Sessions.** The bill requires that "Except for an emergency meeting, members shall be given notice of the time and place of a meeting that will be held solely in executive session at least two days prior to the meeting.

Notice shall be given by posting the notice in a prominent place or places within the common area and by mail to any owner who had requested notification of board meetings by mail, at the address requested by the owner. Notice may also be given by mail, by delivery of the notice to each unit in the development, by newsletter or similar means of communication, or, with the consent of the member, by electronic means. The notice shall contain the agenda for the meeting."

**Board Decisions Via Email.** Except for emergencies, boards are no longer allowed to make decisions by email. Emergency meetings may be held by email if all members of the board, individually or collectively, consent in writing to the action, and if the written consent or consents are filed with the minutes of the meeting of the board.

**Teleconference Meetings.** SB 563 also defines a "teleconference" meeting to be one in which a majority of the members of the board, in different locations, are connected by electronic means, through audio or video or both. The bill requires that a teleconference meeting (other than executive sessions) be conducted in a manner that protects the rights of members of the association. It requires that notice of the teleconference meeting identify at least one physical location so that members of the association may attend and at least one member of the board of directors be present at that location. All board members and homeowners must be able to hear one another.

**NOTE:** I will provide more detail and include links once I post the revised statutes on the Davis-Stirling.com website. SB 563 takes effect January 1, 2012.