CHAPTER 118
HB 1172 - FINAL VERSION

2024 SESSION

24-2101
05/10

HOUSE BILL *1172*

AN ACT relative to meetings of condominium boards and committees.

SPONSORS: Rep. Knab, Rock. 12; Rep. Manos, Rock. 12; Sen. Altschiller, Dist 24

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill exempts certain condominium board meetings and committees from notice requirements governing meetings of the association.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to meetings of condominium boards and committees.

Be it Enacted by the Senate and House of Representatives in General Court convened:

118:1 Meetings of the Board of Directors and Committees of the Association. Amend RSA 356-B:37-c to read as follows:

356-B:37-c Meetings of the Board of Directors and Committees of the Association. The following requirements apply to meetings of the board of directors and committees of the association authorized to act for the association:

I. For purposes of this section, a gathering of board members at which the board members do not conduct association business is not a meeting of the board of directors. ***A meeting of the board of directors also shall not include informational sessions held by board members to obtain and compare vendor proposals, including but not limited to, landscaping, lawn care, snow removal, septic services, well services, insurance, window cleaning, and common area maintenance; provided that the review and vote on any motions resulting from the informational session shall be conducted at the next scheduled board meeting.*** The board of directors and its members may not use incidental or social gatherings of board members or any other method to evade the open meeting requirements of this section.

II. Not less than once each quarter, and at such additional times as may be specified in the condominium bylaws, the board of directors shall, subject to the provisions of RSA 356-B:37-d, hold an open regular meeting during which unit owners shall be afforded a reasonable opportunity to comment on any matter affecting the association. At its discretion, the board of directors may meet in a meeting not open to unit owners provided the meeting is recorded and the recording is made available to unit owners for up to 30 days upon request.

III. Unless the meeting is included in a schedule given to the unit owners or the meeting is called to deal with an emergency, the secretary or other officer specified in the bylaws shall give notice of each meeting of the board of directors to each board member and to the unit owners. The notice shall be given at least 10 days before the meeting***, or 5 days before the meeting if at least 70 percent of the unit owners are full-time residents,*** and shall state the time, date, place, and agenda of the meeting.

IV. If any materials are distributed to the board of directors before the meeting, the board of directors at the same time shall make copies of those materials reasonably available to unit owners, except that the board of directors need not make available copies of unapproved minutes or matters that are to be considered in executive session.

V. In the case of self-managed community associations, meetings of the board of directors or committees expressly for purposes of implementation of decisions made in open meetings shall be exempt from the requirements of RSA 356-B:37, 356-B:37-a, and this section.

VI. This section shall not apply to small condominiums governed by RSA 356-B:37, VII.

VII. This section shall not apply to a committee if the association's bylaws do not permit the committee to expend association funds or to sign contracts on behalf of the association.

118:2 Effective Date. This act shall take effect January 1, 2025.

Approved: July 03, 2024
Effective Date: January 01, 2025