

HB 1343 - AS INTRODUCED

2026 SESSION

26-2564

06/05

HOUSE BILL **1343**

AN ACT allowing remote and hybrid meetings for the governing body of the organization of unit owners.

SPONSORS: Rep. Lucas, Graf. 7; Rep. Almy, Graf. 17; Rep. Weber, Ches. 5; Rep. Bolton, Graf. 8; Rep. Horrigan, Straf. 10

COMMITTEE: Housing

ANALYSIS

This bill updates quorum and meeting procedures for condominium associations by explicitly authorizing remote participation and electronic voting mechanisms.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT allowing remote and hybrid meetings for the governing body of the organization of unit owners.

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

1 1 Quorums. Amend RSA 356-B:38, I to read as follows:

2 I. Unless the condominium instruments otherwise provide, a quorum shall be deemed to be
3 present throughout any meeting of the unit owners' association until adjourned if persons entitled to
4 cast more than 33 1/3 percent of the votes are present at the beginning of such meeting. The bylaws
5 may provide for a smaller percentage, not less than 25 percent, or for a larger percentage for
6 associations having fewer than 25 units; provided, however, this paragraph shall not apply if the
7 condominium is comprised of time sharing interests. ***Notwithstanding any provision of the***
8 ***declaration or bylaws to the contrary, the governing body of the organization of unit***
9 ***owners may hold regularly scheduled or special meetings by telephonic, video, or other***
10 ***interactive electronic communication process, provided that all participants are able to***
11 ***communicate with each other simultaneously during the meeting. Presence by such***
12 ***electronic means shall satisfy any applicable quorum requirement. The governing body***
13 ***may vote on any action properly before it and may approve meeting minutes by electronic***
14 ***means, including, but not limited to, email and video conferencing.***

15 II. Unless the condominium instruments specify a larger majority, a quorum shall be
16 deemed to be present throughout any meeting of the board of directors if persons entitled to cast
17 more than 1/2 of the votes in that body are present at the beginning of such meeting. ***Participation***
18 ***by electronic means shall satisfy quorum requirements.***

19 III. ***The governing body may conduct annual or special meetings of the unit owners***
20 ***without requiring physical presence. Such meetings may be held by telephonic, video, or***
21 ***other interactive electronic communication processes as determined by the governing body.***
22 ***The governing body shall notify all unit owners of such meetings and shall provide access***
23 ***information to facilitate participation. Participation by electronic means shall satisfy***
24 ***quorum requirements. The governing body shall take reasonable measures to ensure that***
25 ***unit owners are able to read or hear the proceedings and to pose questions or comments***
26 ***during the meeting.*** If a quorum is not met for an annual meeting, the board shall reschedule the
27 meeting within 60 days and provide proper notice and proxies.

28 IV. In the case of small condominiums, unless the condominium instruments otherwise
29 provide, a quorum shall be deemed to be present throughout any meeting of the unit owners'
30 association until adjourned if 3 persons, or persons entitled to cast more than 33 percent of the votes,

1 whichever is greater, are present at the beginning of such meeting. This paragraph shall not apply if
2 the condominium is comprised of time sharing interests. If a quorum is not met for an annual
3 meeting, the board shall reschedule the meeting within 60 days and provide proper notice and
4 proxies. ***Participation by electronic means shall satisfy quorum requirements.***

5 2 Voting Without a Meeting. Amend RSA 356-B:39-a, II(b) to read as follows:

6 (b) Indicate the number of responses needed to meet the quorum requirements.

7 ***Participation by electronic means shall satisfy quorum requirements.***

8 3 Voting Without a Meeting. Amend RSA 356-B:39-a, IV and V to read as follows:

9 IV. Approval by ballot pursuant to this section is valid only if the number of votes cast by
10 ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

11 ***Participation by electronic means shall satisfy quorum requirements.***

12 V. All ballots cast in an association vote under this section shall be counted using a tally
13 sheet for the vote. If more than one ballot item was voted on, the board may elect to keep a
14 corresponding tally sheet for each ballot item. The ballots and tally sheets shall be made available,
15 ***with electronic versions,*** for examination and recount, by request of any owner participating in the
16 vote, immediately following announcement of the results of the vote taken. During any examination
17 and recount one or more members of the board of directors and at least one additional owner shall be
18 present. The ballots shall be examined and tallied to verify that the count and announced result was
19 correct.

20 4 Adoption of Budgets and Special Assessments. Amend RSA 356-B:40-c, I to read as follows:

21 I. The board of directors, at least annually, shall adopt a proposed budget for the unit
22 owners' association for consideration by the unit owners. Not later than 30 days after adoption of a
23 proposed budget, the board of directors shall provide to all the unit owners a summary of the budget,
24 including any reserves, and a statement of the basis on which any reserves are calculated and
25 funded. Simultaneously, the board shall set a date not less than 10 days or more than 60 days after
26 providing the summary for a meeting of the unit owners to consider ratification of the budget.
27 Unless at that meeting 2/3 of all unit owners or any larger number specified in the declaration reject
28 the budget, the budget is ratified, whether or not a quorum is present. ***Participation by electronic***
29 ***means shall satisfy quorum requirements.*** If a proposed budget is rejected, the budget last
30 ratified by the unit owners continues until the unit owners ratify a subsequent budget.

31 5 Effective Date. This act shall take effect 60 days after its passage.