

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

A BILL
25-323

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Condominium Act of 1976 to authorize condominium unit owners’ associations to conduct virtual meetings and to clarify voting and quorum requirements for such meetings; and to amend section 29-910 of the District of Columbia Official Code to allow cooperatives to conduct remote meetings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act may be cited as the “Association Meeting Flexibility Temporary Amendment Act of 2023”.

Sec. 2. Section 303 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.03), is amended by adding new a subsection (f) to read as follows:

“(f) Notwithstanding any language contained in this act or in the condominium instruments:

“(1) The executive board may authorize unit owners to submit votes by electronic transmission up to 7 days before the scheduled date of any meeting of the unit owners, and unit owners who submit votes during such period shall be deemed to be present and voting in person at such meeting.

“(2)(A) Meetings of the unit owners’ association, board of directors, or committees may be conducted or attended by telephone conference, video conference, or similar

28 electronic means. If a meeting is conducted by telephone conference, video conference, or
29 similar electronic means, the equipment or system used must permit any unit owner in
30 attendance to hear and be heard by, and to comprehend what is said by, all other unit owners
31 participating in the meeting. Any unit owner, board member, or committee member attending
32 such meeting shall be deemed present for quorum purposes.

33 “(B) A link or instructions on how to access an electronic meeting shall be
34 included in the notice required under subsection (a) of this section.

35 “(C) Any matters requiring a vote of the unit owners’ association at an
36 annual or regular meeting may be set by the executive board for a vote, and a ballot may be
37 delivered with the notice required under subsection (a) of this section. The executive board may
38 set a reasonable deadline for a ballot to be returned to the association.”.

39 Sec. 3. Section 29-910 of the District of Columbia Official Code is amended by striking
40 the phrase “If authorized by the articles or bylaws” and inserting the phrase “Regardless of
41 whether remote regular and special meetings of members are authorized by the articles or
42 bylaws” in its place.

43 Sec. 4. Fiscal impact statement.

44 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
45 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
46 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

47

ENGROSSED ORIGINAL

48 Sec. 5. Effective date.

49 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
50 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
51 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
52 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
53 Columbia Register.

54 (b) This act shall expire after 225 days of its having taken effect.