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Councilmember Robert C. White, Jr.

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an emergency 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 Emergency 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 electronic means. If a meeting is conducted by telephone conference, video conference, or similar electronic means, the equipment or system used must permit any unit owner in

32 attendance to hear and be heard by, and to comprehend what is said by, all other unit owners  
33 participating in the meeting. Any unit owner, board member, or committee member attending  
34 such meeting shall be deemed present for quorum purposes.

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

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

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

45           Sec. 4. Fiscal impact statement.

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

49           Sec. 5. Effective date.

50           This act shall take effect following approval by the Mayor (or in the event of veto by the  
51 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
52 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
53 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
54 D.C. Official Code § 1-204.12(a)).