



General Assembly

Amendment

February Session, 2014

LCO No. 4602

SB0045704602SR0

Offered by:
SEN. KANE, 32nd Dist.

To: Subst. Senate Bill No. 457

File No. 613

Cal. No. 405

"AN ACT CONCERNING REVISIONS TO THE COMMON INTEREST OWNERSHIP ACT."

1 Strike section 8 in its entirety and insert the following in lieu thereof:

2 "Sec. 8. Subsections (a) and (b) of section 47-261e of the 2014
3 supplement to the general statutes are repealed and the following is
4 substituted in lieu thereof (*Effective October 1, 2014*):

5 (a) [(1) Except as provided in subdivision (2) of this subsection, the]
6 The executive board, at least annually, shall adopt a proposed budget
7 for the common interest community for consideration by the unit
8 owners. Not later than thirty days after the adoption of a proposed
9 budget, the executive board shall provide to all unit owners a
10 summary of the proposed budget, including a statement of the amount
11 of any reserves, and a statement of the basis on which such reserves
12 are calculated and funded. Simultaneously, the board shall set a date
13 not less than ten days or more than sixty days after providing the
14 summary for either a meeting of the unit owners or a vote by ballot
15 without a meeting to consider approval or rejection of the proposed

16 budget. [If, at that meeting or in the vote by ballot, a majority of all
17 unit owners or any larger number specified in the declaration votes to
18 reject the proposed budget, the proposed budget shall be rejected. If, at
19 that meeting or in the vote by ballot, a majority of all unit owners or
20 any larger number specified in the declaration does not vote to reject
21 the proposed budget, the proposed budget shall be approved. The
22 absence of a quorum at such meeting or participating in the vote by
23 ballot shall not affect rejection or approval of the proposed budget. If a
24 proposed budget is rejected, the budget last approved by the unit
25 owners continues until unit owners approve a subsequent budget. If a
26 proposed budget is not rejected in accordance with the provisions of
27 this subdivision, the proposed budget shall be deemed approved.]

28 [(2) The executive board of an association of a common interest
29 community, or of a master association as defined in section 47-239
30 exercising the powers on behalf of one or more common interest
31 communities or for the benefit of the unit owners of one or more
32 common interest communities, which community or communities
33 were established prior to July 3, 1991, and have more than two
34 thousand four hundred residential units, at least annually, shall adopt
35 a proposed budget for the common interest community for
36 consideration by the unit owners. Not later than thirty days after the
37 adoption of a proposed budget, the executive board shall provide to all
38 unit owners a summary of the proposed budget, including a statement
39 of the amount of any reserves, and a statement of the basis on which
40 such reserves are calculated and funded. Simultaneously, the board
41 shall set a date not less than ten days or more than sixty days after
42 providing the summary for either a meeting of the unit owners or a
43 vote by ballot without a meeting to consider approval or rejection of
44 the proposed budget.] If, at that meeting or in the vote by ballot, a
45 majority of unit owners actually voting votes to reject the proposed
46 budget, the proposed budget shall be rejected, provided not less than
47 thirty-three and one-third per cent of the unit owners entitled to vote
48 on the proposed budget vote at that meeting or in the vote by ballot to
49 reject the proposed budget. If an association's declaration or bylaws

50 include quorum requirements for a meeting, the absence of a quorum
51 at such meeting or participating in the vote by ballot shall not affect
52 rejection or approval of the proposed budget. If a proposed budget is
53 rejected, the budget last approved by the unit owners continues until
54 unit owners approve a subsequent budget. If a proposed budget is not
55 rejected in accordance with the provisions of this [subdivision]
56 subsection, the proposed budget shall be deemed approved.

57 (b) [(1) Except as provided in subdivision (2) of this subsection, the]
58 The executive board, at any time, may propose a special assessment.
59 Not later than thirty days after adoption of a proposed special
60 assessment, the executive board shall provide to all unit owners a
61 summary of the proposed special assessment. Unless the declaration or
62 bylaws otherwise provide, if the proposed special assessment, together
63 with all other special and emergency assessments proposed by the
64 executive board in the same calendar year, do not exceed fifteen per
65 cent of the association's last adopted periodic budget for that calendar
66 year, the proposed special assessment is effective without approval of
67 the unit owners. Otherwise, the board shall set a date not less than ten
68 days or more than sixty days after providing the summary for either a
69 meeting of the unit owners or a vote by ballot without a meeting to
70 consider approval or rejection of the proposed special assessment. [If,
71 at that meeting or in the vote by ballot, a majority of all unit owners or
72 any larger number specified in the declaration votes to reject the
73 special assessment, the special assessment shall be rejected. If, at such
74 meeting or in the balloting, a majority of all unit owners or any larger
75 number specified in the declaration does not vote to reject the special
76 assessment, the special assessment shall be approved. The absence of a
77 quorum at such meeting or participating in the vote by ballot shall not
78 affect the rejection or approval of the special assessment. If a proposed
79 special assessment is not rejected in accordance with the provisions of
80 this subdivision, the proposed special assessment shall be deemed
81 approved.]

82 [(2) The executive board of an association of a common interest
83 community, or of a master association as defined in section 47-239

84 exercising the powers on behalf of one or more common interest
85 communities or for the benefit of the unit owners of one or more
86 common interest communities, which community or communities
87 were established prior to July 3, 1991, and have more than two
88 thousand four hundred residential units, at any time, may propose a
89 special assessment. Not later than thirty days after adoption of a
90 proposed special assessment, the executive board shall provide to all
91 unit owners a summary of the proposed special assessment. Unless the
92 declaration or bylaws otherwise provide, if the proposed special
93 assessment, together with all other special and emergency assessments
94 proposed by the executive board in the same calendar year, do not
95 exceed fifteen per cent of the association's last adopted periodic budget
96 for that calendar year, the proposed special assessment is effective
97 without approval of the unit owners. Otherwise, the board shall set a
98 date not less than ten days or more than sixty days after providing the
99 summary for either a meeting of the unit owners or a vote by ballot
100 without a meeting to consider approval or rejection of the proposed
101 special assessment.] If, at that meeting or in the vote by ballot, a
102 majority of unit owners actually voting votes to reject the proposed
103 special assessment, the proposed special assessment shall be rejected,
104 provided not less than thirty-three and one-third per cent of the unit
105 owners entitled to vote on the proposed special assessment vote at that
106 meeting or in the vote by ballot to reject the proposed special
107 assessment. If an association's declaration or bylaws include quorum
108 requirements for a meeting, the absence of a quorum at such meeting
109 or participating in the vote by ballot shall not affect the rejection or
110 approval of the proposed special assessment. If a proposed special
111 assessment is not rejected in accordance with the provisions of this
112 subsection, the proposed special assessment shall be deemed
113 approved."