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2 Councilmember Mary M. Cheh

_____ Chairman Phil Mendelson

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6 Councilmember Anita Bonds

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9 A BILL

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15 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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20 To amend, on a temporary basis, the Condominium Act to authorize Condominium Unit Owners
21 Associations to conduct virtual meetings and clarify voting and quorum requirements for
22 such meetings, during a time for which the Mayor has declared a public health
23 emergency.
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25 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
26 act may be cited as the “Common Interest Community Virtual Meeting Temporary Amendment
27 Act of 2020”.

28 Sec. 2. Section 303 of the Condominium Act of 1976, effective March 29, 1977 (D.C.
29 Law 1-89; (D.C. Official Code § 42-1901.03 *et seq.*) is amended by adding new a subsection (h)
30 to read as follows:

31 “(h) Notwithstanding any language contained in this act or in the condominium
32 instruments, during a time during a period of time for which the Mayor has declared a public
33 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
34 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

35 “(1) The executive board may authorize unit owners to submit votes by electronic
36 transmission up to 7 days before the scheduled date of any meeting of the unit owners, and unit

37 owners who submit votes during such period shall be deemed to be present and voting in person
38 at such meeting.

39 “(2)(A) Meetings of the unit owners’ association may be conducted or attended by
40 telephone conference, video conference, or similar electronic means. If a meeting is conducted
41 by telephone conference, video conference, or similar electronic means, the equipment or system
42 used must permit any unit owner in attendance to hear and be heard by, and to communicate
43 what is said by all other unit owners participating in the meeting. Any unit owner, Board
44 Member, or Committee member attending such meeting shall be deemed present for quorum
45 purposes.

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

48 “(C) Any matters requiring a vote of the unit owners’ association at an
49 annual or regular meeting may be set by the Executive board for a vote, and a secret ballot may
50 be delivered with the notice required under subsection (a) of this section, provided that the
51 executive board has a process to ensure the anonymity of the ballots cast. The executive board
52 may set a reasonable deadline for a ballot to be returned to the association.”

53 Sec. 3. Fiscal impact statement.

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

57 Sec. 4. Effective date.

58 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
59 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
60 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

61 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
62 Columbia Register.

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