

**FIFTIETH LEGISLATURE  
FIRST SESSION, 2011**

January 27, 2011

Mr. Speaker:

Your **CONSUMER AND PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**HOUSE BILL 9**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 15, strike "AND ATTORNEY FEES".
2. On page 1, lines 20 and 21, strike "; REQUIRING FILING OF NONPROFIT CORPORATION BYLAWS WITH THE PUBLIC REGULATION COMMISSION".
3. On page 1, line 25, strike "22" and insert in lieu thereof "21".
4. On page 4, line 20, strike Paragraph (6) in its entirety and renumber the succeeding paragraphs accordingly.
5. On page 4, line 21, strike "18 through 22" and insert in lieu thereof "17 through 21".
6. On page 6, lines 19 through 25, strike Paragraphs (4) through (6) in their entirety.
7. Renumber the succeeding paragraphs accordingly.
8. On page 7, line 8, strike "(7)" and insert in lieu thereof "(4)".
9. On page 9, line 14, strike ", to approve the annual budget".
10. On page 12, line 13, strike "the declarant or".
11. On page 12, line 14, after the period, insert:

"The allocations may allow for a twenty-five percent reduction in the percentage of association expenses and financial liabilities allocated to parcels owned by the declarant; provided that any

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financial shortfall of the association shall be the responsibility of the declarant based on a pro rata share of declarant-owned parcels."

12. On page 13, line 11, strike "The" and insert in lieu thereof "Unless the bylaws provide otherwise, the".

13. On page 13, line 12, after "proxy" insert a period.

14. On page 13, line 12, strike the second occurrence of "and" and insert in lieu thereof "The association".

15. On page 15, lines 2 and 3, strike Subsection E in its entirety.

16. Reletter the succeeding subsection accordingly.

17. On page 15, line 18, after the semicolon, strike "or".

18. On page 15, line 19, strike the period and insert in lieu thereof "; or".

19. On page 15, between lines 19 and 20, insert the following new paragraph:

"(3) personal, health or financial information about a member, unless the member requests that the meeting not be closed for executive session."

20. On page 16, line 15, after the period, insert:

"During the period of declarant control, a meeting of a quorum of the board members where only routine business matters are discussed, and where no vote is taken on action items related to the association, does not constitute a board meeting under the provisions of this subsection."

21. On page 18, line 14, after "only", insert "when an emergency exists".

22. On page 19, line 4, strike "at any reasonable time" and insert in lieu thereof "within five business days of the date of the

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request".

23. On page 19, line 14, strike "and addresses".
24. On page 20, line 6, after the semicolon, insert "and".
25. On page 20, line 11, strike "; and" and insert in lieu thereof a period.
26. On page 20, lines 12 and 13, strike Paragraph (12) in its entirety.
27. On page 21, lines 21 through 24, strike Section 17 in its entirety.
28. Renumber the succeeding sections accordingly.
29. On page 22, line 3, strike "19 through 22" and insert in lieu thereof "18 through 21".
30. On page 23, line 1, strike "20" and insert in lieu thereof "19".
31. On page 23, line 13, strike "21" and insert in lieu thereof "20".
32. On page 23, line 22, strike "20" and insert in lieu thereof "19".
33. On page 24, line 3, strike "22" and insert in lieu thereof "21".
34. On page 26, line 16, strike "21" and insert in lieu thereof "20".
35. On page 27, line 5, strike "21" and insert in lieu thereof "20".
36. On page 27, line 24, strike "19" and insert in lieu thereof "18".
37. On page 28, line 16, strike "19" and insert in lieu

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thereof "18".

38. On page 28, line 24, strike "18" and insert in lieu thereof "17".

39. On page 35, line 4, strike "22" and insert in lieu thereof "21".

40. On pages 35 and 36, strike Section 27 in its entirety.

41. Renumber the succeeding section accordingly.

and thence referred to the **JUDICIARY COMMITTEE**.

Respectfully submitted,

\_\_\_\_\_  
Gail Chasey, Chairwoman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 4 For 0 Against

Yes: 4

No: 0

Excused: Kintigh

Absent: None

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