

HB 464 – AS INTRODUCED

2013 SESSION

13-0781
05/03

HOUSE BILL **464**

AN ACT establishing a procedure for removal of condominium board members.

SPONSORS: Rep. LeBrun, Hills 32

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill establishes a procedure for removal of a condominium board member by a vote of the unit owners' association.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a procedure for removal of condominium board members.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Condominium Act; Removal of Board Member. Amend RSA 356-B:40 by
2 inserting after 40-a the following new section:

3 356-B:40-b Board Members; Procedure for Removal.

4 I. Notwithstanding any provision of the declaration or bylaws to the contrary, by a majority
5 vote of persons entitled to vote and voting on the matter at a special meeting of the unit owners
6 association, the unit owners may remove a member of the board of directors, with or without cause,
7 other than a member appointed by the declarant.

8 II. Upon receipt of a petition that calls for removal of a member of the board of directors that
9 is signed by either the number of persons who are entitled to cast at least 25 percent of the votes in
10 the association or 100 votes in the association, whichever is less, the board shall call and provide
11 written notice of a special meeting of the association as provided in RSA 356-B:37.

12 III. The special meeting shall be called, noticed, and held within 30 days after receipt of the
13 petition.

14 IV. For purposes of a special meeting called pursuant to this section, a quorum as provided
15 in RSA 356-B:38 shall be required.

16 V. A petition that calls for the removal of the same member of the board of directors shall
17 not be submitted more than once during each term of office for that member.

18 2 Effective Date. This act shall take effect January 1, 2014.