Section 3. - Sample Provision Excerpt (Public Preview)

Except as herein in these Bylaws otherwise expressly provided, in all matters which shall come before the members of the corporation, and in all corporate matters, the voting powers of the members shall be equal, each member having one vote.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 3. (p. 1): Election provisions omit mandatory Davis-Stirling secret ballot procedures and independent Inspector of Elections requirements under California Civil Code §§ 5105 - 5125.

Statutory / Legal Reference: Cal. Civ. Code §§ 5105, 5110 & 5115 (SB 323 / AB 2159)

Statutory Comparison: Under Cal. Civ. Code §§ 5105 and 5110, every association must adopt election operating rules and conduct specified elections through an independent third-party Inspector of Elections using secret double-envelope paper ballots (or compliant electronic secret ballots under AB 2159), with at least 30 days general notice of the nomination deadline and at least 30 days pre-ballot notice before ballots...

CURRENT WORDING IN DOCUMENT:
Except as herein in these Bylaws otherwise expressly provided, in all matters which shall come before the members of the corporation, and in all corporate matters, the voting powers of the members shall be equal, each member having one vote.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to California Civil Code §§ 5100 - 5145, the Association shall maintain compliant...