

Section 1. - Sample Provision Excerpt (Public Preview)

Category of Membership

a.

General Member

Any person, without regard to race, religion or national origin, dedicated to the purpose of the CCNA, 18 years of age or older, who is a resident or property owner within the boundaries of the Carmichael Creek NPA shall be eligible for a

ISSUE #1

membership.

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1. (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:

Category of Membership a. General Member Any person, without regard to race, religion or national origin, dedicated to the purpose of the CCNA, 18 years of age or older, who is a resident or property owner within the boundaries of the Carmichael Creek NPA shall be eligible for a general membership.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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