



Section IV. - Sample Provision Excerpt (Public Preview)

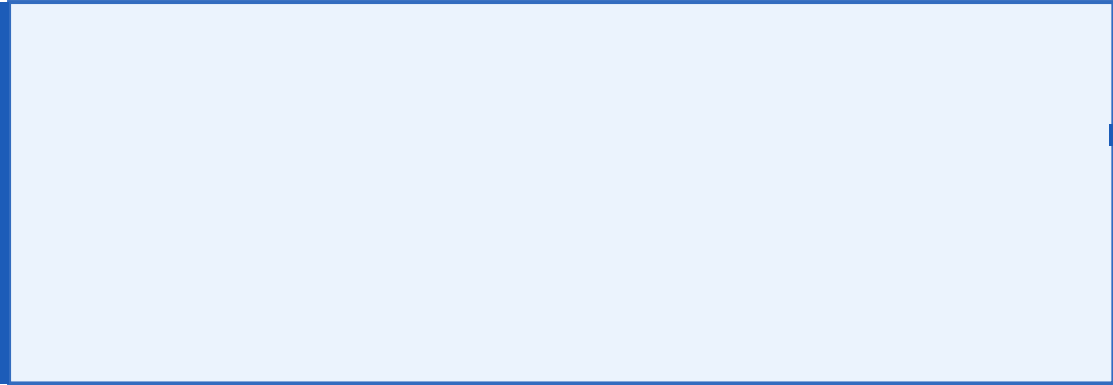
MEMBERSHIP

Section A. Qualifications

Membership in the Oak Park Neighborhood Association shall be open to all residents, property owners, and business owners, managers and employees of a business located within the boundaries as defined in Section II of these bylaws and complete a membership information form.

Section B.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. IV. (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:

MEMBERSHIP Section A. Qualifications Membership in the Oak Park Neighborhood Association shall be open to all residents, property owners, and business owners, managers and employees of a business located within the boundaries as defined in Section II of these bylaws and complete a membership information form. Section B.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

MEMBERSHIP Section A. Qualifications Membership in the Oak Park Neighborhood Association shall be open to all residents, property owners, and business owners, managers and employees of a business located within the boundaries as defined in Section II of these bylaws and complete a membership information form. Section B.