

Section 1 - Sample Provision Excerpt (Public Preview)

RESOLVED:

Whereas, the Board of Directors wishes to allow for electronic voting for the Board of Directors after every Annual Meeting;
NOW THEREFORE, the Board of Directors amends and restates the bylaws of the association in full as follows:

BYLAWS OF THE

ISSUE #1 UPLANDS CLAREMONT AREA NEIGHBORS

ASSOCIATION
(UCAN)

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:

RESOLVED: Whereas, the Board of Directors wishes to allow for electronic voting for the Board of Directors after every Annual Meeting; NOW THEREFORE, the Board of Directors amends and restates the bylaws of the association in full as follows: BYLAWS OF THE UPLANDS CLAREMONT AREA NEIGHBORS ASSOCIATION (UCAN)

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to California...