

Section 1. - Sample Provision Excerpt (Public Preview)

ELIGIBILITY. Any person who subscribes to and supports the purpose, values, and non-discrimination statements (Article II) of the Willow Glen Neighborhood Association (WGNA) shall be eligible for membership.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1. (p. 2): 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:

ELIGIBILITY. Any person who subscribes to and supports the purpose, values, and non-discrimination statements (Article II) of the Willow Glen Neighborhood Association (WGNA) shall be eligible for membership.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to California Civil Code §§ 5100 - 5145, the Association shall maintain compliant Election Operating Rules providing...