Section VI - Sample Provision Excerpt (Public Preview)

MEETING OF DIRECTORS Regular Meetings. Regular meetings of the Board of Directors shall be held every three (3) months without notice, place and as may be fixed from time resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday. Directors shall

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. VI (p. 3): Bylaw provision permits regular meetings of the Board of Directors to be held "without notice," violating the mandatory 48-hour open board meeting notice requirement under Fla. Stat. § 720.303(2)(c)1.

Statutory / Legal Reference: Fla. Stat. § 720.303(2)(c)1

Statutory Comparison: Under Fla. Stat. § 720.303(2)(c)1, all meetings of the board of directors must be open to all members and notices of all board meetings (specifically identifying agenda items) must be posted in a conspicuous place in the community at least 48 continuous hours in advance of the meeting (except in an emergency).

CURRENT WORDING IN DOCUMENT:

MEETING OF DIRECTORS Regular Meetings. Regular meetings of the Board of Directors shall be held every three (3) months without notice, place and as may be fixed from time resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday. Directors shall

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

MEETING OF DIRECTORS Regular Meetings. Regular meetings of the Board of Directors shall be held every three (3) months without notice, place and as may be fixed from time resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday. Directors shall [MANDATORY FLORIDA OPEN BOARD MEETING NOTICE]: Notwithstanding the foregoing, pursuant to Fla. Stat.