Section 2.3 - Sample Provision Excerpt (Public Preview)

Vacated officers' positions shall be filled by election at the next regularly scheduled meeting to fill the unexpired term.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 2.3 (p. 4): Bylaws omit the New Jersey Radburn Act democratic election procedures (N.J.S.A. 45:22A-45.2) and the 48-hour open board meeting and 10% bylaw amendment rejection procedures (N.J.S.A. 45:22A-46).

Statutory / Legal Reference: N.J.S.A. 45:22A-45.2 & N.J.S.A. 45:22A-46;

Statutory Comparison: Under N.J.S.A. 45:22A-45.2 and 45:22A-46, New Jersey associations must follow statutory open-nomination, alphabetical ballot, anonymous/absentee voting, and 90-day ballot inspection rules for board elections, provide 48-hour advance notice of open board meetings where binding votes are taken, and comply with the member voting / 10% rejection procedures for bylaw amendments.

CURRENT WORDING IN DOCUMENT:
Vacated officers' positions shall be filled by election at the next regularly scheduled meeting to fill the unexpired term.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Executive Board elections, open board meetings (with at least 48 hours' advance written notice for binding votes), and By-Law amendments shall be conducted in full compliance with N.J.S.A. 45:22A-45.1 through 45:22A-46 and N.J.A.C.