

Section 5.1 - Sample Provision Excerpt (Public Preview)

Board of Directors. The Board of Directors of the corporation shall consist of three or more natural persons. The number of directors which shall constitute the board shall be determined by the members of the corporation.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 5.1 (p. 4): Provision authorizes holding regular Board of Directors meetings "without notice" or taking Board action by written consent outside a noticed open meeting, conflicting with undefined.

Statutory / Legal Reference: S.C. Code Ann. § 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept. of Consumer Affairs HOA Rules); undefined

Statutory Comparison: Under undefined and S.C. Code Ann. §§ 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept. of Consumer Affairs HOA Rules), all meetings of the Board of Directors at which a quorum gathers to conduct association business must be open to all members with advance notice posted or delivered to owners, and owners must be afforded a reasonable opportunity to speak on...

CURRENT WORDING IN DOCUMENT:
Board of Directors. The Board of Directors of the corporation shall consist of three or more natural persons. The number of directors which shall constitute the board shall be determined by the members of the corporation.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Require all regular and special Board meetings to be open to all members with advance notice and agenda posting in accordance with undefined, and restrict action without a meeting to narrow emergency circumstances permitted by S.C. Code Ann. §§ 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept. of Consumer Affairs HOA Rules).