

ADRE 2017 Legislative Summary (HOA Legislation)





ADRE Legislative Overview | 2016

The Arizona State Legislature adjourned *sine die* on May 10, 2017 at 7:00pm. The following bills were passed and signed into law by Governor Douglas A. Ducey. If you have questions relating to the bills below, please contact the Department through the Message Center by [clicking here](#). The general effective date for legislation is August 9, 2016 unless otherwise stated.

Please be advised that this list is not comprehensive and therefore may not include all bills that directly or indirectly affect ADRE licensees. Please visit the state legislature's website for more information and an overview of each bill at <http://www.azleg.gov/>.

HB 2411 (Chapter 217) Homeowners' associations; Open meetings (Rep. Lovas)

- This legislation prohibits a board from requiring advanced notice to audiotape or videotape a meeting.
- Permits a board to preclude audiotaping or videotaping of a meeting, if the board audiotapes or videotapes the meeting itself and makes the unedited tapes available to members on request.
- Prohibits the board from making restrictions on the use of tapes as evidence in a dispute resolution process.
- Requires the notice of any meeting of an HOA to state the date of the meeting.
- Requires notice of any annual or regular meeting of an HOA to state the purpose for which the meeting is called, including any proposed amendment to the declaration or bylaws and any changes in assessment.
- Requires a board to identify the specific exemption that permits any portion of a board meeting to be closed.
- Permits emergency meetings of the board to be held for business or action that cannot be delayed for the 48 hours.
- Emergency meetings of the board may be held for any business or action that cannot be delayed until the next regularly scheduled meeting
- Prohibits a board from taking action on non-emergency matters at emergency meetings.
- Requires members of the board and any community manager to construe any statutory meeting requirement in favor of open meetings.
- Requires HOA members to have the ability to speak before a vote of the members.
- Permits the cost of delivery to be included in the fee charged by an HOA for documents related to the transfer or use of the property.
- Removes the requirement that an absentee or alternative ballot envelope or related materials for an HOA election include the name, address and signature of the person voting.
- Removes the requirement that nonballot related material of an HOA secret ballot include the name, address and signature of the voter.

HB 2411 was signed by the Governor on April 28, 2017. A.R.S. Titles Affected: 33

More information, including an overview of each bill can be found at www.azleg.gov