

**MEMORANDUM**

October 17, 2014

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Public Hearing:** Bill 45-14, Common Ownership Communities – Governing Body - Training

Bill 45-14, Common Ownership Communities – Governing Body – Training, sponsored by Council Vice President Leventhal, was introduced on September 23, 2014. A Planning, Housing and Economic Development Committee worksession will be scheduled at a later date.

Bill 45-14 would require the Commission on Common Ownership Communities to develop an educational curriculum to train a member of the governing body of a common ownership community on the responsibilities of directors. It would also require a member of the governing body of a common ownership community to complete this training or similar training approved by the CCOC within 90 days of their election or appointment.

Individuals are often appointed or elected to the governing body of a common ownership community without receiving appropriate training on the responsibilities of this volunteer position. Although it is important to avoid discouraging individuals from volunteering to serve their community, it is equally important to ensure that those individuals who volunteer to serve are prepared to carry out their responsibilities as a board member.

This packet contains:

Bill 45-14

Legislative Request Report

Circle #

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Bill No. 45-14  
Concerning: Common Ownership  
Communities – Governing Body –  
Training  
Revised: September 12, 2014 Draft No. 2  
Introduced: September 23, 2014  
Expires: March 23, 2015  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Vice President Leventhal

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**AN ACT to:**

- (1) require the Commission on Common Ownership Communities to provide training for a member of the governing body of a common ownership community;
- (2) require a member of the governing body of a common ownership community to complete certain training; and
- (3) generally amend the laws governing common ownership communities.

By amending

Montgomery County Code  
Chapter 10B, Common Ownership Communities  
Sections 10B-6 and 10B-17

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Sections 10B-6 and 10B17 are amended as follows:**

**10B-6. Duties of the Commission on Common Ownership Communities.**

The Commission must:

- (a) adopt rules and procedures as necessary to carry out the purposes of this Chapter;
- (b) keep a record of its activities and minutes of all meetings, which must be kept on file and open to the public at reasonable business hours upon request;
- (c) cooperate with the County Executive and all government agencies concerned with matters within the jurisdiction of the Commission;
- (d) examine by means of public or private meetings, conferences, and public hearings, conditions in common ownership communities which may result in unmet community, resident, or public needs; [and]
- (e) advise the citizens of the County, the County Council, and the County Executive, and County, state, and federal agencies on matters involving common ownership communities, and recommend such programs, procedures, or legislation as it finds necessary; and
- (f) provide training on the responsibilities of a board member for members of the governing body of a common ownership community by:
  - (1) developing an educational curriculum for new members; and
  - (2) approving an alternative educational curriculum for new members administered by other organizations.

**10B-17. Voting procedures; training.**

\* \* \*

- (h) A member of the governing body of a common ownership community must successfully complete the educational curriculum developed by the Commission or a similar educational curriculum administered by

28 another organization that is approved by the Commission within 90  
29 days after being elected or appointed to the governing body for the first  
30 time. The governing body must:

31 (1) certify that each member has successfully completed this training  
32 to the Commission; and

33 (2) retain a copy of the certificate of completion for inspection by the  
34 members of the association for the duration of the governing  
35 body member's service.

36 **Sec. 2. Transition.**

37 Each member of the governing body of a common ownership community who  
38 was appointed or elected before this law takes effect must successfully complete the  
39 training requirements contained in Section 1 within 90 days after this law takes  
40 effect.

41 **Sec. 3. Effective date.** This Act takes effect on January 1, 2016.

42 *Approved:*

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Craig L. Rice, President, County Council

\_\_\_\_\_  
Date

44 *Approved:*

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\_\_\_\_\_  
Isiah Leggett, County Executive

\_\_\_\_\_  
Date

46 *This is a correct copy of Council action.*

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\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

\_\_\_\_\_  
Date

## LEGISLATIVE REQUEST REPORT

Bill 45-14

*Common Ownership Communities – Governing Body - Training*

<b>DESCRIPTION:</b>	Bill 45-14 would require the Commission on Common Ownership Communities to develop an educational curriculum to train a member of the governing body of a common ownership community on the responsibilities of directors. It would also require a member of the governing body of a common ownership community to complete this training or similar training approved by the CCOC within 90 days of their election or appointment.
<b>PROBLEM:</b>	Individuals are often appointed or elected to the governing body of a common ownership community without receiving appropriate training on the responsibilities of this volunteer position.
<b>GOALS AND OBJECTIVES:</b>	Provide appropriate training for members of governing boards.
<b>COORDINATION:</b>	Consumer Protection, CCOC
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	To be researched.
<b>SOURCE OF INFORMATION:</b>	Robert H. Drummer, Senior Legislative Attorney, 240-777-7895
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	To be researched.
<b>PENALTIES:</b>	Not Applicable.