

MEMORANDUM

September 19, 2014

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

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

Bill 45-14, Common Ownership Communities – Governing Body – Training, sponsored by Council Vice President Leventhal, is scheduled to be introduced on September 23, 2014. A public hearing is tentatively scheduled for October 14 at 1:30 p.m.

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.

This packet contains:	<u>Circle #</u>
Bill 45-14	1
Legislative Request Report	4

Bill No. 45-14
Concerning: Common Ownership
Communities – Governing Body –
Training
Revised: September 12, 2014 Draft No. 2
Introduced: September 23, 2014
Expires: February 3, 2015
Enacted: March 23, 2016
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Vice President Leventhal

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

Boldface	<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:*

43 _____
Craig L. Rice, President, County Council Date

44 *Approved:*

45 _____
Isiah Leggett, County Executive Date

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

47 _____
Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 45-14

Common Ownership Communities – Governing Body - Training

DESCRIPTION: 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.

PROBLEM: 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.

GOALS AND OBJECTIVES: Provide appropriate training for members of governing boards.

COORDINATION: Consumer Protection, CCOC

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Robert H. Drummer, Senior Legislative Attorney, 240-777-7895

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Not Applicable.