

Bill No. 45-14
Concerning: Common Ownership
Communities - Governing Body -
Training
Revised: February 3, 2015 Draft No. 5
Introduced: September 23, 2014
Enacted: February 3, 2015
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 10B-17 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

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

- (1) certify that each member has successfully completed this training to the Commission; [[and]]
- (2) retain a copy of the certificate of completion for inspection by the members of the association for the duration of the governing body member's service; and
- (3) report to the Commission no later than December 31 of each year membership data required by the Commission, including
 - (A) the name and address of each member of the board;
 - (B) the date each member completed the required training;
 - (C) the number of vacancies on the board; and
 - (D) the length of time each vacancy existed.

(i) A failure to satisfy the training requirement in subsection (h) does not:

- (1) remove the member from the governing body; or
- (2) invalidate a vote made by the member.

(j) The Commission may exercise its authority under Section 10B-19(a) to ensure compliance with the training required by Subsection (h).

(k) A hearing panel or a hearing examiner may consider a board member's failure to complete the training required by Subsection (h), if relevant, in deciding a dispute under Section 10B-13.

Sec. 2. Transition.

Each member of the governing body of a common ownership community who was appointed or elected before this law takes effect must successfully complete the training requirements contained in Section 1 within 90 days after being elected for a new term of office that begins after this law takes effect.

55 **Sec. 3. Effective date.** ~~[[This Act takes]]~~ The amendments made in Section 1
56 of this Act take effect on January 1, 2016 ~~[[and are not effective after January 1,~~
57 2019]].

58 *Approved:*

59 George Leventhal 2/5/15
George Leventhal, President, County Council Date

60 *Approved:*

61

Isiah Leggett, County Executive Date

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

Linda M. Lauer, Clerk of the Council
Date