



Substitute Senate Bill No. 1072

Public Act No. 23-18

AN ACT CONCERNING REVISIONS TO THE COMMON INTEREST OWNERSHIP ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (c) of section 47-260 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(c) Records retained by an association shall be withheld from inspection and copying to the extent that they concern:

(1) Personnel, salary and medical records relating to specific individuals, unless waived by the persons to whom such records relate; [or]

(2) Any unredacted paper or electronic ballot, any unredacted proxy form and any other unredacted record that identifies a vote cast by a unit owner; or

~~[(2)]~~ (3) Information the disclosure of which would violate any law other than this chapter.

Sec. 2. Section 47-213 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

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(a) From time to time (1) the dollar amount specified in subdivision (3) of subsection (a) of section 47-215, and (2) the one-hundred-eighty-five-dollar fee charged by an association for the preparation of a resale certificate, in accordance with subdivision (1) of subsection (b) of section 47-270, as amended by this act, shall change [,] as provided in subsections (b) and (c) of this section, according to and to the extent of changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers: U.S. City Average, All Items, 1967 = 100, compiled by the Bureau of Labor Statistics, United States Department of Labor, (the "Index"). The Index for December, 1979, which was 230, is the Reference Base Index.

(b) (1) The dollar amount specified in subdivision (3) of subsection (a) of section 47-215 and any amount stated in the declaration pursuant to said section, and (2) the one-hundred-eighty-five-dollar fee charged by an association for the preparation of a resale certificate, in accordance with subdivision (1) of subsection (b) of section 47-270, as amended by this act, shall change on July first of each year if the percentage of change, calculated to the nearest whole percentage point, between the Index at the end of the preceding year and the Reference Base Index is ten per cent or more, but [(1)] (A) the portion of the percentage change in the Index in excess of a multiple of ten per cent shall be disregarded and the dollar amount shall change only in multiples of ten per cent of the amount appearing in this chapter on January 1, 1984; [(2)] (B) the dollar amount shall not change if the amount required by this section is that currently in effect pursuant to this chapter as a result of earlier application of this section; and [(3)] (C) in no event may the dollar amount be reduced below the amount appearing in this chapter on January 1, 1984.

(c) If the Index is revised after December, 1979, the percentage of change pursuant to this section shall be calculated on the basis of the revised Index. If the revision of the Index changes the Reference Base

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Index, a revised Reference Base Index shall be determined by multiplying the Reference Base Index then applicable by the rebasing factor furnished by the Bureau of Labor Statistics. If the Index is superseded, the Index referred to in this section is the one represented by the Bureau of Labor Statistics as reflecting most accurately changes in the purchasing power of the dollar for consumers.

Sec. 3. Subdivision (1) of subsection (b) of section 47-270 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(b) (1) Not later than ten business days after receipt of a request in a record from a unit owner and payment by the unit owner to the association of a fee [established by the association that does not exceed one hundred twenty-five dollars] of one hundred eighty-five dollars, as adjusted pursuant to section 47-213, as amended by this act, plus either five cents for each page of document copies provided by the association pursuant to this section or a flat fee of ten dollars for an electronic version of those documents, for the preparation of the certificate and other documents, the association shall furnish a certificate containing the information necessary to enable the unit owner to comply with this section and any other documents required by this section. An additional fee of not more than ten dollars for expedited preparation may be established if the certificate and all required documents are furnished to the unit owner not later than three business days after the request in a record is received by the association. No fee under this subsection may include costs for services provided by an attorney or paralegal.

Sec. 4. Subsection (i) of section 47-255 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(i) The provisions of this section may be varied or waived [in the case of] for (1) a common interest community all of whose units are restricted

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to nonresidential use, or (2) the units in a building in a common interest community if all of the units within that building are restricted to nonresidential use.

Sec. 5. Subsection (a) of section 47-252 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) Unless prohibited or limited by the declaration or bylaws, unit owners may vote (1) by electronic or paper ballot, prior to or at a meeting conducted in person, [or] electronically, or both in person and electronically, and at any continuation of such meeting, (2) by a proxy pursuant to subsection (c) of this section, or [] (3) when a vote is conducted without a meeting, by electronic or paper ballot pursuant to subsection (d) of this section.

Approved June 7, 2023