



General Assembly

January Session, 2023

Substitute Bill No. 1072



AN ACT CONCERNING REVISIONS TO THE COMMON INTEREST OWNERSHIP ACT.

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

1 Section 1. Subsection (c) of section 47-260 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2023*):

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

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

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

12 ~~[(2)]~~ (3) Information the disclosure of which would violate any law
13 other than this chapter.

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 Section 47-213 of the general statutes is repealed and the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

16 (a) From time to time (1) the dollar amount specified in subdivision
17 (3) of subsection (a) of section 47-215, and (2) the one-hundred-eighty-

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

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

44 (c) If the Index is revised after December, 1979, the percentage of
45 change pursuant to this section shall be calculated on the basis of the
46 revised Index. If the revision of the Index changes the Reference Base
47 Index, a revised Reference Base Index shall be determined by
48 multiplying the Reference Base Index then applicable by the rebasing
49 factor furnished by the Bureau of Labor Statistics. If the Index is
50 superseded, the Index referred to in this section is the one represented

51 by the Bureau of Labor Statistics as reflecting most accurately changes
52 in the purchasing power of the dollar for consumers.

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

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

73 Sec. 4. Subsection (i) of section 47-255 of the general statutes is
74 repealed and the following is substituted in lieu thereof (*Effective July*
75 *1, 2023*):

76 (i) The provisions of this section may be varied or waived in the case
77 of (1) a common interest community all of whose units are restricted to
78 nonresidential use, or (2) a building in a common interest community
79 if all of the units within that building are restricted to nonresidential
80 use.

81 Sec. 5. Subsection (a) of section 47-252 of the general statutes is

82 repealed and the following is substituted in lieu thereof (*Effective July*
 83 *1, 2023*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	47-260(c)
Sec. 2	<i>July 1, 2023</i>	47-213
Sec. 3	<i>July 1, 2023</i>	47-270(b)(1)
Sec. 4	<i>July 1, 2023</i>	47-255(i)
Sec. 5	<i>July 1, 2023</i>	47-252(a)

Statement of Legislative Commissioners:

In Section 1(c)(2), "a" was added before "vote" for consistency and "or" was added after "owner;" for accuracy; and in Section 2(b)(2), Subdivs. (1) to (3), inclusive, were changed to Subparas. (A) to (C), inclusive, for accuracy.

JUD *Joint Favorable Subst. -LCO*