

Section #	Old Law	New Law
		Public Act No. 09-225
47-202	Definitions	
47-202(3)	Term not previously defined	“Assessment” means the sums attributable to a unit and due to the association pursuant to section 47-257
47-202(5)	Term not previously defined	“Bylaws” means the instruments, however denominated, that contain the procedures for conduct of the affairs of the association regardless of the form in which the association is organized, including any amendments to the instruments.
47-202 (7) now(9)(E)	Added to previous provision (Bold print represents language added to original provision) *	Common interest community...with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for a share of (A) real property taxes on, (b)insurance premiums on (C)maintenance of, (D)improvements of
47-202(7) now (9) (E)	Added to previous provision*	or (E) services or other expenses related to common elements, other units or.. any other real property other than that unit described in the declaration.
	Added to previous provision*	Common Interest Community does not include an arrangement described in Section 8 or 9 of this act. For purposes of this subdivision “ownership of a unit” includes holding a leasehold interest of 40 years or more in a unit, including renewal options.
47-202 (22) now(24)	Added to previous provision *	The definition of “person” was expanded to include public corporation, instrumentality or any other legal...
47-202 (29)	Term not previously defined	“Record”,used as a noun, means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
47-202 (31)	Term not previously defined	“Rule” means a policy, guideline, restriction, procedure or regulation of an association, however denominated, which is adopted by an association pursuant to section 35 of this act, which is not set forth in the declaration or bylaws and which governs the conduct of the persons or use or appearance of the property.

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47-202 (29) new (33) (H)	Added to previous provision	“Special declarant rights” added- Control any construction, design review or aesthetic standards committee or process;
47-202 (29) now (33) (I)	Added to previous provision	“Special declarant rights” added- (I) attend meetings of the unit owners and, except during an executive session, the executive board; or
47-202 (29) now (33) (J)	Added to previous provision	“Special declarant rights” added- (J) have access to the records to the records of the association to the same extent as a unit owner.
SECTION 2	NEW	
Section 2 (NEW)	NEW	Chapter 828 of the general statutes, as amended by is act, and sections 8,9 and 34 to 38, inclusive, of this act, modify, limit and supercede the federal Electronic Signatures in Global and National Commerce Act, 15 USC 7001, et esq., but not to modify, limit or supercede Section101 (c) of that act, 15USC 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 USC 7003(b).
47-214	Applicability of chapter & amendment	thereto common interest communities
Section 3 47-214	Added to previous provision*	Amendments to this chapter apply to all common interest communities created after January 1, 1984, or subjected to this chapter, by amendment of the declaration of the common interest community , regardless of when the amendment is adopted.
47-215	Applic. to nonresidential., mixed use	and small common interest communities
47-215 (a) (1) (A)	Added to previous provision *	...common interest community containing a conversion building: (1) If a common interest community contains only units restricted exclusively to nonresidential use.
47-215 (a)(1) (B)	Added to previous provision *	The declaration of such a common interest community may provide that this entire chapter applies to the community, that only this part and part of II of this chapter apply or that only sections 47-204, as amended by this act,....

Section #	Old Law	New Law
47-218	Applicability to amendments to	governing instruments
47-218 (b)	Added to previous provision *	Except as otherwise provided in subsections (l) and (j) of section 47-236, as amended by this act , an amendment to the declaration, bylaws or surveys and plans....
47-219	Applicability to out of state	Common Interest Communities
47-219	Added to previous provision *	This chapter does not apply to common interest communities or communities located outside this state, but the public offering statement provisions, ...apply to all contracts for the disposition (thereof) of a unit in that common interest community signed in this state by any party following an offer made in this state...
SECTION 8	NEW	
Section 8 (a) (NEW)	NEW	An arrangement between the associations for two or more common interest communities to share the costs of real property taxes, insurance, premiums, services, maintenance or improvements of real property or other activities specified in their arrangement or declarations does not create a separate common interest community.
Section 8 (b) (NEW)	NEW	An arrangement between an association and an owner of real property that is not part of a common interest community to share the costs of real property taxes, insurance premiums,...does not create a separate common interest community, except that assessments against the units in the common interest community require the arrangement must be included in the periodic budget for the common interest community, and the arrangement must be disclosed in all public offering statements and resale certificates required by chapter 828 of the general statutes, as amended by this act, and sections 9 and 34-38, inclusive of this act.

Section #	Old Law	New Law
SECTION 9	NEW	
Section 9 (NEW)	NEW	A covenant that requires the owners of twelve or fewer separately owned parcels of real property to share costs or other obligations associated with a party wall, driveway, well, septic system or other similar use does not create a common interest community unless a declaration otherwise provides.
Section 47-225	Leasehold Common Interest	Communities
47-225 (e) (NEW)	NEW	A lease satisfying the description in subsection (a) of this section is not subject to sections 47a-1 to 47a-20e, inclusive.
Section 47-226	Allocation of Interests	
47-226 (h) (NEW)	NEW	In a planned community created after January 1, 1984, unless the declaration provides for a different allocation permitted under this chapter, the common expenses of the association and the votes in the association are allocated equally among the units.
Section 47-235	Easement Rights	
47-235 (c)	Added to previous provision *	Subject to the declaration and rules, the unit owners have a right to use the common elements and all real property that must become common elements for all appropriate purposes.
Section 47-236	Amendment of Declaration	
47-236(d)	Added to previous provision *	Except in the case of the exercise of development rights pursuant to section 47-229 or to the extent otherwise expressly permitted or required by other provisions of this chapter, with respect to a common interest community, whether created before, on or after 1 1-84 , no amendment may create or increase special declarant rights, increase the number of units or change the boundaries of any unit or the allocated interests of a unit, in the absence of unanimous consent of the unit owners.

Section #	Old Law	New Law
47-236 (i)	Added to previous provision	Adds the following to end of (i): Notwithstanding any provision of this section, an amendment to the declaration that affects the priority of a holder's security interest, other than an amendment regarding the priority of the association's lien authorized by section 47-258, as amended by this act, or the ability of that holder to foreclose its security interest may not be adopted without that holder's consent in a record if the declaration requires that consent as a condition to the effectiveness of the amendment.
47-236(a) (1)	By vote or agreement of unit owners of units at which at least 67% of the votes of the association are allocated, or any larger majority the declaration specifies.	By vote or agreement of the unit owners to which at least 67% of the votes in the association are allocated, unless the declaration specifies either a larger percentage or a smaller percentage, but not less than a majority, for all amendments or for specific subjects of amendment;
47-236(a) (2)	Added to previous provision	(a)(2) The declaration may provide that all amendments or specific subjects of amendment may be approved by the unit owners of the units having any of the percentages of the votes, as approved in subdivision(1) of this subsection, of a specific group of units that would be affected by the amendment, rather than all of the units in the common interest community; or
47-236(f)	<p>Changed wording of previous provision</p> <p>Originally stated: (By vote or agreement of unit owners of units to which at least 80% of the votes in the association are allocated, or any larger percentage specified in the declaration,) an amendment to the declaration may prohibit or materially restrict the permitted uses or occupancy of a unit or the number or other qualifications of persons who may occupy units...</p>	<p>An amendment to the declaration may prohibit or materially restrict the permitted uses or occupancy of a unit or the number or other qualifications of persons who may occupy units only by vote or agreement of unit owners of units to which at least 80% of the votes in the association are allocated, unless the declaration specifies that a larger percentage of unit owners must vote or agree to that amendment or that such an amendment may be approved by the unit owners of the units having at least 80% of the votes of a specified group of units that would be affected by the amendment.</p>

Section #	Old Law	New Law
47-236(g)	<p>Changed wording of previous provision</p> <p>Originally stated:(Written) notice of a proposed amendment to the declaration must be delivered to all persons...</p>	<p>Notice of the proposed amendment to the declaration must be delivered in a record to all persons...</p>
47-236 (h)	<p>Added to previous provision *</p>	<p>Provisions in the declaration creating special declarant rights that have not expired may not be amended without the consent of the declarant.</p>
47-236 (i)	<p>Added to previous provision *</p>	<p>Notwithstanding any provision of this section, an amendment to the declaration or bylaws that affects the priority of a holder's security interest, other than an amendment regarding the priority of the association's lien authorized by section 47-258, as amended by this act, or the ability of that holder to foreclose its security interest may not be adopted without the holder's consent in a record if the declaration requires that consent as a condition to the effectiveness of the amendment.</p>
Section 47-237	Termination of Common Interest	Community
47-237 (a)	<p>Added to previous provision *</p>	<p>A common interest community may only be terminate only by agreement of unit owners to which at least 80% of the votes in the association are allocated, or any larger percentage the declaration specifies, and with any other approvals required by the declaration. The declaration may specify a smaller percentage, but in no event less than a majority of the votes in the association, only if all of the units are restricted exclusively to nonresidential use.</p>

Section #	Old Law	New Law
47-237 (m)	Added to previous provision	(m) If substantially all the units in a common interest community have been destroyed, abandoned or are uninhabitable and the available methods of giving notice under this act to consider termination will not likely result in receipt of the notice, the executive board or any interested party may commence an action in the superior court seeking to terminate the common interest community. During the pendency of the action, the court may issue whatever orders it considers appropriate, including appointment of a receiver. After a hearing, the court may terminate the common interest community or reduce its size pursuant to this section, notwithstanding that 80% of the unit owners did not vote or agree to that action, and may issue any other order the court considers to be in the best interest of the unit owners and persons holding a property interest in the common interest community.
Section 47-241	Addition of Unspecified Real	Property
47-241 (h)	Added to previous provision	(h) The period of declarant control for a master planned community terminates in accordance with any conditions specified in the declaration or otherwise at the time the declarant, in a recorded instrument and after giving notice in a record to all unit owners, voluntarily surrenders all rights to control the activities of the association.
Section 47-243	Organization of Unit Owners'	Association
47-243	Added to previous provision *	The association shall have an executive board. The association shall be organized as a business or nonstock corporation, trust, partnership, or unincorporated association.
Section 47-244	Powers of Unit Owners'	Association
47-244 (a) (2)	Adopt and amend budgets, for revenues expenditures and reserves and collect assessments for common expenses from unit owners.	Shall adopt and may amend budgets, may adopt and amend special assessments, may collect assessments for common expenses from unit owners and may invest funds of the association.

Section #	Old Law	New Law
47-244(a)(14)	Assign its right to future income, including the right to receive common expense assessments; but only to the extent the declaration expressly so provides;	Subject to subsection (d) of section 37 of this act, may assign its right to future income, including the right to receive common expense assessments;
47-244 (a)(19)	Added to this provision	<p>Association may suspend any right or privilege of a unit owner who fails to pay an assessment, but may not:</p> <p>(A) Deny a unit owner or other occupant access to the owner's unit or its limited common elements;</p> <p>(B) Suspend a unit owner's right to vote or participate in meetings of the association;</p> <p>(C) Prevent a unit owner from seeking election as a director or officer of the association; or</p> <p>(D) Withhold services provided to a unit or unit owner by the association if the effect of withholding the service would be to endanger the health, safety or property of any person.</p>
47-244 (b)(2)	Added to this provision	<p>Institute litigation or an arbitration, mediation or administrative proceeding against any person, except that the association shall comply with section 38 of this act, if applicable, before instituting any proceeding described in subsection (a) of section 38 of this act in connection with construction defects.</p>
47-244 (c)	<p>Changed wording of previous provision</p> <p>Originally stated: Unless otherwise permitted by the declaration or this chapter, an association may adopt rules and regulations that affect the use or occupancy of units that may be used for residential purposes only to a) prevent use of a unit which violates declaration....”</p>	<p>The executive board promptly shall provide notice to the unit owners of any legal proceeding in which the association is a party other than proceedings involving enforcement of rules, recovery of unpaid assessments or other sums due the association, or defense of the association's lien on a unit in foreclosure action commenced by a third party.</p>

Section #	Old Law	New Law
Sec. 47-244 (g)	Added to previous provision	Executive board may determine whether to take enforcement action by exercising the association's power to impose sanctions or commencing an action for a violation of the declaration, bylaws and rules, including whether to compromise any claims for unpaid assessments or other claim made by or against it.
	Added to previous provision	Executive board does not have a duty to take enforcement action if it determines that under the facts and circumstances presented:
Sec. 47-244 (g) (1)	Added to previous provision	The association's legal position does not justify further legal action
Sec. 47-244 (g)(2)	Added to previous provision	The covenant, restriction or rule being enforced is not likely to be construed as, inconsistent with law
Sec. 47-244 (g)(3)	Added to previous provision *	Although a violation may exist or may have occurred, it is not so material as to be objectionable to a reasonable person or to justify expending the association's resources.
Sec. 47-244 (19)(4)	Added to previous provision	It is not in the association's best interest to pursue an enforcement action.
Sec. 47-244 (h)	Added to previous provision	Executive board's decision not to pursue enforcement under one set of circumstances does not prevent enforcement under another set of circumstances, except that the executive board may not be arbitrary or capricious in taking enforcement action.
47-245	Exec. Board & Officers. Duties.	Ratify Budget. Period Decl. Control. F/S
47-245 (a)	Added to previous provision *	...members of the executive board not appointed by a declarant shall exercise the degree of care and loyalty required of an officer or director of a corporation organize, and are subject to the conflict of interest rules governing directors and officers under chapter 602. The standards of care and loyalty described in this section apply regardless of the form in which the association is organized.

Section #	Old Law	New Law
47-245 (b) (3)	Added to previous provision *	Elect members of the executive board, except that the executive board may fill vacancies in its membership for the unexpired portion of any term or, if earlier, until the next regularly scheduled election of executive board members
47-245 (c)	Changed wording of previous provision Originally stated: Notwithstanding any ...as provided in this subsection.(eliminate old wording)	The executive board shall adopt budgets as provided in Section 37 of this act.
47-245 (d)	Added to previous provision	A declarant may voluntarily surrender the right to appoint and remove officers and members of the executive board before the period ends. In that event, declarant may required, during remainder of the period, specified actions in a recorded document be approved by the declarant before the become effective.
47-245 (f)	Added to previous provision *	Unless the declaration or bylaws provides for the election of officers by the unit owners , the executive board shall elect the officers.
47-245 (g)	Changed wording of previous provision Originally stated: The unit owners, by 2/3 vote of all persons present and entitled to vote at any meeting of the unit owners at which a quorum is present, may remove any member of the executive board with or without cause, other than a member appointed by the declarant.	Changed to: A declaration may provide for the appointment of specified positions on the executive board by either a governmental subdivision or agency or a nonstock corporation exempt from taxation as a public charity under 26 USC 501 (c) (3) and 26 USC 4940 (d)(2), as from time to time amended, during or after the period of declarant control. A declaration may also provide a method for filling vacancies in those specified portions, other than by election of the unit owners, except that, after the period of declarant control, appointed members (1) may not compromise more than 1/3 of the board, and (2) have no greater authority than any other member of the board.

Section #	Old Law	New Law
47-247	Termination of Contracts and	Leases of Declarant.
47-247	Added to previous provision*	...the association may terminate without penalty upon not less than 90 days' notice to the other party, any of the following:(1)Any management, maintenance, operations or...
47-248	Bylaws	
47-248 (a)(7)&(8)	Added to previous provision	Contain any provision necessary to satisfy requirements in this chapter or the declaration concerning meetings, voting, quorums and other activities of the association; and (8) provide for any matter required by law of this state other than this chapter, which is not consistent with this chapter, to appear in the bylaws of the organizations of the same type as the association.
47-250	Meeting of Association	
47-250	A meeting of the association shall be held at least once each year. Special meetings of the association may be called by the president.	(a) The following requirements apply to unit owner meetings:
47-250 (a) (1)	Added to previous provision	An association shall hold a meeting of unit owners annually at a time, date and place stated in or fixed in accordance with the bylaws;
47-250 47-250 a(1)	Changed Wording Original Wording: Notice to be hand-delivered or sent pre-paid by U.S. mail. Added to previous provision	Notice may be by any means described in section 35 of this act. (Includes any mailing, hand delivery or electronic mailing address) An association shall hold a meeting of unit owners annually at a time, date and place stated in or fixed in accordance with the bylaws;

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47-250(a) (2)	Not less than 10 nor more than 60 days in advance of any meeting, the secretary or other officer specified in the bylaws shall cause notice to be hand delivered or sent prepaid by United States mail to the mailing address of each unit or to any other mailing address designated in writing by the unit owner.	If the association does not notify unit owners of a special meeting within 15 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of the meeting.
47-250(a) (2)	Added to previous provision	Only matters described in the meeting notice required by subdivision (3) of this subsection may be considered at a special meeting;
47-250(a) (3)	Not less than 10 nor more than 60 days in advance of any meeting, the secretary or other officer specified in the bylaws shall cause notice to be hand delivered or sent prepaid by United States mail to the mailing address of each unit or to any other mailing address designated in writing by the unit owner.	An association shall notify unit owners of the time, date and place of each annual and special unit owners meeting not less than 10 nor more than 60 days before the meeting date. Notice may be by any means described in section 35 of this act.
47-250 (a)(4)	Added to previous provision	Unit owners shall be given a reasonable opportunity at any meeting to comment regarding any matter affecting the common interest community or the association
47-250 (a)(5)	Added to previous provision	The declaration or by-laws may allow for meetings of unit owners to be conducted by telephonic, video or other conferencing process if the alternative process is consistent with subdivision 7 of subsection (b) of this section.
47-250 (b)	Added to previous provision	The following requirements apply to meetings of the executive board and committees of the association authorized to act for the association.
47-250 (b)(1)	Added to previous provision	Meetings shall be open to the unit owners and to a representative designated by any unit owner except during executive sessions.

Section #	Old Law	New Law
	Added to previous provision	The executive board and those committees may hold an executive session only during a regular or special meeting of the executive board or a committee.
47-250 (b)(1)	Added to previous provision	No final vote or action may be taken during an executive session.
	Added to previous provision	An executive session may be held only to: (A) Consult with association's attorney concerning legal matters (B) discuss existing or potential litigation or mediation, arbitration or administrative proceedings (C) discuss labor or personnel matters (D) discuss contracts, leases and other commercial transactions to purchase or provide goods or services currently being negotiated, including the review of bids or proposals, if premature knowledge of those matters would place association at a disadvantage; or (E) prevent public knowledge of the matter to be discussed if the executive board or committee determines that public knowledge would violate the privacy of any person.
47-250 (b)(2)	Added to previous provision	For purposes of this section, a gathering of board members at which the board members do not conduct association business is not a meeting of the executive board. The executive board may not use incidental or social gatherings to evade the open meeting requirements.
47-250 (b)(3)	Added to previous provision	During and after the period of declarant control the executive board will hold at least 2 times a year at the common interest community or at a place convenient to the community unless the bylaws are amended to vary the location of the meetings.

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47-250 (b)(4)	Added to previous provision	At each executive board meeting, reasonable opportunity will be provided for unit owners to comment regarding any matter affecting the common interest community and the association
47-250 (b)(5)	Added to previous provision	Unless the meeting is included in a schedule given to the unit owners or the meeting is called to deal with an emergency, the secretary or other officer specified in the bylaws shall give notice of each executive board meeting to each board member and to the unit owners.
	Added to previous provision	The notice shall be given at least 5 days prior to the meeting and shall state time, date, place and agenda of the meeting, except that notice of a meeting called to adopt, amend or repeal a rule shall be given in accordance with subsection (a) of section 47-261b, as amended by this act.
47-250 (b)(6)	Added to previous provision	If any materials are distributed to the executive board prior to the meeting, the executive board at the same time will make copies of those materials reasonably available to unit owners, except that the board need not make available copies of unapproved minutes or materials that are to be considered in executive session.
47-250 (b)(7)	Added to previous provision	Unless prohibited by declaration or bylaws, the executive board may meet by telephonic, video or other conferencing process if (A) the meeting notice states conferencing process to be used and provides information explaining how unit owners may participate in the conference directly or by meeting at a central location or conference connection; and (b) the process provides all unit owners the opportunity to hear or perceive the discussion and offer comments as provided in section (4) of this subsection.
47-250 (b)(8)	Added to previous provision	Instead of meeting, the executive board may act by unanimous consent as documented in a record authenticated by all its members. The secretary shall promptly give notice to all unit owners of any action taken by unanimous consent.

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47-250 (b)(9)	Added to previous provision	Even if an action by the executive board is not in compliance with this section, it is valid unless set aside by a court. Such challenge may not be brought more than 60 days after the minutes at which the action was taken are approved or the record of the action is distributed to unit owners, whichever is later.
47-250 (c)	Added to previous provision	Meetings of the association shall be conducted in accordance with the most recent edition of Robert's Rules of Order Newly Revised unless (1) the declaration, bylaws or other law otherwise provides, or (2) two-thirds of the votes allocated to unit owners present at the meeting are cast to suspend those rules..
47-251	Quorums	
47-251 (b)	Unless the bylaws specify a larger percentage, a quorum is deemed present throughout any meeting of the executive board if persons entitled to cast 50% of the votes on that board are present at the beginning of the meeting.	Unless the bylaws specify a larger number, a quorum of the executive board is present for purposes of determining the validity of any action taken at a meeting of the executive board only if individuals entitled to cast a majority of the votes on that board are present at the time the vote regarding that action is taken. If a quorum is present when a vote is take, the affirmative vote of a majority of the board members present is the act of the executive board unless a greater vote is required by the declaration or bylaws.
47-252	Voting at Meetings of	Association
47-252 (a)	Added to previous provision	Unless prohibited or limited by the declaration or bylaws, unit owners may vote at a meeting in person, by a proxy pursuant to subsection (C), when a vote is conducted without a meeting, by electronic or paper ballot pursuant to subsection (d) of this section.
47-252 (b) (2)	Added to previous provision	At a meeting of unit owners the following requirements apply: Unless a great number or fraction of the votes in the association is required by this chapter, or other law, or the declaration, a majority of the votes cast is the decision of the unit owners.

Section #	Old Law	New Law
47-252(c) & (c) (1)	Added to previous provision *	Except as otherwise provided in declaration or bylaws, the following requirements apply with respect to proxy voting: (1) Votes allocated to a unit may be cast pursuant to a directed or undirected proxy duly executed by a unit owner.
47-252(c) (6)	Added to previous provision	A person may not cast votes representing more than 15% of the votes in the association pursuant to undirected proxies.
47-252(d)	Added to previous provision	Unless prohibited or limited by the declaration or bylaws, an association may conduct a vote without a meeting. In that event the following requirements apply:
47-252(d) (1)	Added to previous provision	The association shall notify the unit owners that the vote will be taken by ballot
47-252(d) (2)	Added to previous provision	The association shall deliver a paper or electronic ballot to every unit owner entitled to vote on a matter;
47-252(d) (3)	Added to previous provision	The ballot must set forth each proposed action or office to be filled and provide an opportunity to vote for or against the action or candidate for office
47-252(d) (4)	Added to previous provision	When the association delivers the ballots, it shall also: (A) Indicate the number of responses needed to meet the quorum requirements; (B) state the percentage of votes necessary to approve each matter other than the election of directors; (C) specify the time and date by which a ballot must be delivered to the association to be counted, which time and date may not be fewer than three days after the association delivers the ballot; and (D) describe the time, date and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so;
47-252(d) (5)	Added to previous provision	Except as otherwise provided in the bylaws, a ballot is not revoked after delivery to the association by death or disability or attempted revocation by the person that cast the vote
47-252(d) (6)	Added to previous provision	Approval by ballot pursuant to this section is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at the meeting authorizing the action.

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47-252(g)	No votes allocated to a unit owned by the association may be cast.	Votes allocated to a unit owned by the association shall be cast in any vote of the unit owners in the same proportion as the votes cast on the matter by the unit owners other than the association.
47-252(h)	Term not previously defined	“fraction or percentage”, with respect to unit owners or the votes in the association means the stated fraction or percentage of unit owners of units to which at least the stated percentage or fraction of all the votes in the association are allocated, unless the provisions of this chapter or said sections provides that the fraction or percentage refers to a different group of unit owners or votes.
47-255	Insurance	
47-255 (a)(1-3) now (a)(1-4)	Added to previous provision *	Commencing not later than the time of the first conveyance of a unit to a person other than a declarant, the association shall maintain, to the extent reasonably available and subject to reasonable deductibles: (1) property insurance...(2) flood insurance...(3) commercial general liability insurance (4) fidelity insurance
47-255 (b)	Added to previous provision *	...the insurance maintained under subdivision (1) of subsection (a) of the section, to the extent reasonably available, shall include the units, and all improvements and betterments installed by unit owners, unless the declaration limits the association’s authority to insure all improvements and betterments or the executive board decides, after giving notice and an opportunity for unit owners to comment, not to insure such improvements and betterments. In the case of common interest communities containing more than 12 units, unless the association insures all improvements and betterments, the association shall:
47-255 (b)(1)	Added to previous provision	Prepare and maintain a schedule of the standard features, improvements and betterments in the units, including any standard wall, floor and ceiling coverings covered by the association’s insurance policy; and

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47-255 (b)(2)	Added to previous provision	Provide such schedule at least annually to the unit owners in order to enable unit owners to coordinate their homeowners insurance coverage with the coverage afforded by the association's insurance policy; and
47-255 (b)(3)	Added to previous provision	Include such schedule in any resale certificate prepared pursuant to section 47-270, as amended by this act.
47-257	Assessment for Common	Expenses
47-257 (e)	Added to previous provision *	If any common expense is caused by the willful misconduct, failure to comply with a written maintenance standard promulgated by the association or gross negligence of any unit owner or tenant or guest or invitee of the unit owner or tenant, the association may, after notice and hearing, assess the portion of that common expense in excess of any insurance proceeds received by the association under its insurance policy, whether that portion results from the application of a deductible or otherwise , exclusively against that owner's unit .
47-258	Lien for Assessments	
47-258 (a)	The association has a statutory lien on a unit for any assessment levied against that unit or fines imposed against its unit owner.	The association has a statutory lien on a unit for any assessment attributable to that unit or fines imposed against its unit owner.
47-258 (a)	Added to previous provision *	Unless the declaration otherwise provides reasonable attorneys' fees and costs, other fees, charges, fines and interest pursuant to subdivision (a) of section 47-244 as amended by this act, and any other sums due to the association under the declaration, this chapter, or as a result of an administrative, arbitration, mediation or judicial decision are enforceable in the same manner as unpaid assessments under this section.
47-258 (e)	A lien for unpaid assessments is extinguished unless proceedings to enforce the lien are instituted with two years...	A lien for unpaid assessments is extinguished unless proceedings to enforce the lien are instituted with three years after the full amount of the assessment becomes due...

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47-258 (m)	Added to previous provision	An association may not commence an action to foreclose a lien on a unit under this section unless: (1)At the time the action is commenced the unit owner owes at least 2 months of common expense assessments based on the periodic budget last adopted by the association (2) the association has made demand for payment in a record (3)the executive board either voted to commence foreclosure specifically against that unit or has adopted a standard policy that provides for foreclosure against that unit.
47-258 (n)	Added to previous provision	Every aspect of a foreclosure, sale or other disposition under this section, including the method, advertising, time, date, place and terms, shall be commercially reasonable.
47-260	Association Records. Availability	Loan Disclosure And Comments
47-260	Change wording of previous provision: Original wording: The Association shall keep financial records sufficiently detailed to enable the association to comply with section 47-270. All accounting, financial and other books and records of the assoc., including, but not limited to, minutes of meetings and voting records of the executive board, shall be made reasonably available by the executive board or a managing agent of the assoc. for examination and copying by any unit owner, or unit owner's auth. agent, upon the request of such owner or agent.	Changed to: An association shall retain the following:
47-260 (a) (1)	Revised wording of provision	Detailed records of receipts and expenditures affecting the operation and administration of the association and other appropriate accounting records;
47-260 (a)(2)	Revised wording of provision	Minutes of all meeting of its unit owners and executive board other than executive sessions, a record of all actions taken by unit owners or the executive board without a meeting, and a record of all actions taken by a committee in place of the executive board on behalf of the association;

Section #	Old Law	New Law
47-260 (a)(3)	Revised wording of provision	The names of unit owners in a form that permits preparation of a list of names of all owners and the addresses at which the association communicates with them, in alphabetical order showing the number of votes each owner is entitled to cast;
47-260 (a)(4)	Added to previous provision	The association's original or restated organizational documents, if required by law other than this chapter, bylaws and all amendments to them and all rules currently in effect;
47-260 (a)(5)	Added to previous provision	All financial statements and tax returns of the association for the past three years;
47-260 (a)(6)	Added to previous provision	A list of names and addresses of its current executive board members and officers;
47-260 (a)(7)	Added to previous provision	The association's most recent annual report delivered to the Secretary of State, if any;
47-260 (a)(8)	Added to previous provision	Financial and other records sufficiently detailed to enable the association to comply with section 47-270
47-260 (a)(9)	Added to previous provision	Copies of current contracts to which the association is a party;
47-260 (a)(10)	Added to previous provision	Records of executive board or committee actions to approve or deny any requests for design or architectural approval from unit owners
47-260 (a)(11)	Added to previous provision	Ballots, proxies and other records related to voting by unit owners for one year after the election, action or vote to which they relate.
47-260 (b)	Added to previous provision	Subject to subsection (c) and (d) of this section, all records retained by an association shall be available for examination and copying by a unit owner or owner's authorized agent.
47-260 (b) (1)	Added to previous provision	During reasonable business hours or at a mutually convenient time and location; and
47-260 (b) (2)	Added to previous provision	Upon 5 days notice in a record reasonably identifying the specific records of the association requested.
47-260 (c)	Added to previous provision	Records retained by an association shall be withheld from inspection and copying to the extent that they concern:
47-260 (c) (1)	Added to previous provision	Personnel, salary and medical records relating to specific individuals, unless waived by the persons to whom such records relate; or

Section #	Old Law	New Law
47-260 (c) (2)	Added to previous provision	Information the disclosure of which would violate any law other than this chapter or sect. 8,9 or 34 to 38, inclusive, of this act.
47-260 (d)	Added to previous provision	Records retained by an association may be withheld from inspection and copying to the extent that they concern:
47-260 (d) (1)	Added to previous provision	Contracts, leases and other commercial transactions to purchase or provide goods or services, currently being negotiated;
47-260 (d) (2)	Added to previous provision	Existing potential litigation or mediation, arbitration or administrative proceedings;
47-260 (d) (3)	Added to previous provision	Existing or potential matters involving federal, state or local administrative or other formal proceedings before a governmental tribunal for enforcement of the declaration, bylaws or rules;
47-260 (d) (4)	Added to previous provision	Communication with the association's attorney which are otherwise protected by the attorney-client privilege or the attorney work-product doctrine;
47-260 (d) (5)	Added to previous provision	Records of an executive session of the executive board; or
47-260 (d) (6)	Added to previous provision	Individual unit files other than those of the requesting owner.
47-260 (e)	Added to previous provision	An association may charge a reasonable fee for providing copies of any records under this section and for supervising the unit owner's inspection.
47-260 (f)	Added to previous provision	A right to copy records under this section includes the right to receive copies by photocopying or other means, including copies through electronic transmission if available upon request by the unit owner.
47-260 (g)	Added to previous provision	An association is not obligated to compile or synthesize information
47-260 (h)	Added to previous provision	Information provided pursuant to this section may not be used for commercial purposes.
SECTION 34	NEW	
Section 34 (a) (NEW)	NEW	At least 10 days before adopting, amending or repealing any rule, the executive board shall give all unit owners notice of:

Section #	Old Law	New Law
Section 34 (a) (1)(NEW)	NEW	Its intention to adopt, amend or repeal a rule and shall provide the text of the rule or the proposed change.
Section 34 (a) (2)(NEW)	NEW	A date on which the executive board will act on the proposed rule or amendment after considering comments from unit owners.
Section 34 (b)(NEW)	NEW	Following adoption, amendment or repeal of a rule, the association shall notify the unit owners of its action and provide a copy of any new or revised rule.
Section 34(c)(NEW)	NEW	Subject to provisions of declaration, an association may adopt rules to establish and enforce construction and design criteria and aesthetic standards. There must be procedures for enforcement of rules and approval of construction applications. Action must be with in a reasonable time of application submission and the consequences of its failure to act.
Section 34(d)(NEW)	NEW	Rules regulating display of the flag must be consistent with federal law,
Section 34(d)(NEW)	NEW	Additionally, association may not prohibit display on a unit or on a limited common element adjoining a unit, of the flag of this state, or signs regarding candidates for public or association office or ballot questions but association may adopt rules governing time, place, size, number and manner of those displays.
Section 34(e)(NEW)	NEW	Unit owners may peacefully assemble on the common elements to consider matters related to the common interest community, but assoc. may adopt rules governing the time, place, and manner of those assemblies.
Section 34(f)(NEW)	NEW	An association may adopt rules that affect the use of or behavior in units that may be used for residential purposes, only to:
Section 34(f)(1)(NEW)	NEW	Implement a provision of the declaration;
Section 34(f)(2)(NEW)	NEW	Regulate any behavior in or occupancy of a unit which violates the declaration or adversely affects the use and enjoyment of other units or the common elements by other unit owners elements

Section #	Old Law	New Law
Section 34(f)(3)	NEW	Restrict the leasing of residential units to the extent those rules are reasonable designed to meet underwriting requirements of institutional lenders that regularly make loans secured by 1 st mortgages to common interest communities or regularly purchase those mortgages, provided no such restrictions shall be enforceable unless notice thereof is recorded on the land records of each town in which any part of the common interest community is located. Such notice shall be indexed by the town clerk in the grantor index of such land records in the name of the association.
Section 34(g)	NEW	Association's internal business operating procedures need not be adopted as rules.
SECTION 35	NEW	
Section 35 (a) (1-4)(NEW)	NEW	An association shall deliver any notice required to be given by the assoc. to any mailing or electronic mail address a unit owner designates, except the association may also deliver notices by (1)hand delivery to each unit owner, (2) hand delivery, U.S. mail postage paid, commercially reasonable delivery service to mailing address of each unit owner, (3) electronic means, if provided by owner, or (4) any other method reasonably calculated to provide notice to the unit owner.
Section 35 (b)(NEW)	NEW	Notices required by this act are effective when sent. The ineffectiveness of a good faith effort to deliver notice by an authorized means does not invalidate action taken at or without a meeting.
SECTION 36	NEW	
Section 36 (a) (NEW)	NEW	Notwithstanding any provision of the declaration or bylaws to the contrary, unit owners present in person or by proxy at any meeting of unit owners, at which a quorum is present, or voting by ballot, may remove any member of the executive board or any officer elected by the unit owners, with or without cause, if the number of votes cast in favor of removal exceeds the # of votes in opposition except that:
	NEW	(1)member appointed by declarant may not be removed by a unit owner during the period of declarant control.

Section #	Old Law	New Law
	NEW	(2) member appointed under subsection (g) of section 47-245, as amended by this act, may be removed only by the persons that appointed that member.
	NEW	(3) unit owners may not consider removal at a meeting unless that subject was listed in the notice of the meeting or in the notice of the vote by ballot.
Section 36 (b)NEW	NEW	Member or officer being considered for removal must have a reasonable opportunity to speak before the vote at such meeting.
SECTION 37	NEW	
Section 37 (a)(NEW)	NEW	Executive Board, at least annually, shall adopt a proposed budget for the common interest community for consideration by the unit owners.
	NEW	Not later than 30 days after adoption of proposed budget, exec. Board shall provide to all unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded.
	NEW	Simultaneously, board shall set a date not less than 10 or more than 60 days after providing the summary for either a meeting of unit owners or a vote by ballot without a meeting to consider approval of the budget.
	NEW	If at the meeting or in the vote by ballot, a majority of all unit owners, or any larger number specified in the declaration, votes to reject the budget, the budget is rejected; otherwise the budget is approved.
	NEW	The absence of a quorum at such meeting or participating in the vote by ballot shall not affect rejection or approval of the budget.
	NEW	If a proposed budget is rejected, the budget last approved by the unit owners continues until unit owners approve a subsequent budget.

Section #	Old Law	New Law
Section 37 (b)(NEW)	NEW	The executive board, at any time, may propose a special assessment. Not later than 30 days after adoption of a proposed assessment, the executive Board will provide all unit owners with a summary of the assessment.
	NEW	The special assessment is effective without approval of unit owners if, unless the declaration or bylaws provides otherwise, if such special assessment, together with all other special or emergency assessments proposed in the same calendar year, do not exceed 15% of the association's last adopted periodic budget for that calendar year.
	NEW	Otherwise, the board shall set a date not less than 10 or more than 60 days after providing the summary for either a meeting or vote by ballot to consider approval of the special assessment.
	NEW	If at the meeting or in the vote by ballot, a majority of all unit owners, or any larger number specified in the declaration, votes to reject the assessment, the assessment is rejected; otherwise the assessment is approved.
	NEW	The absence of a quorum at such meeting or participating in the vote by ballot shall not affect rejection or approval of the <u>budget</u> .
Section 37 (c)(1-3)(NEW)	NEW	If executive board determines by 2/3 vote that the special assessment is necessary to respond to an emergency
	NEW	(1) Special assessment becomes effective immediately in accordance with the terms of the vote.
Section 37 (c)(1-3)(NEW)	NEW	(2) notice of the emergency assessment must be provided promptly to all unit owners; and
	NEW	(3) executive board may spend the funds paid on account of the emergency assessment only for the purposes described in the vote.

Section #	Old Law	New Law
SECTION 38	NEW	
Section 37 (d)(1-2)(NEW)	NEW	Notwithstanding any provision of the declaration or bylaws to the contrary, at least 14 days prior to entering any loan agreement on behalf of the association, the board shall (1)disclose in a record to all unit owners the amount and terms of the loan and the estimated effect of such loan on any common expense assessments (2) afford unit owners a reasonable opportunity to submit comments in a record to the executive board.
Section 37 (e)(NEW)	NEW	Unless prohibited or otherwise limited by the declaration, if executive board proposes to enter into a loan agreement on behalf of the association and assign its right to future income as security for such loan, unit owners of units to which at least a majority of the votes in the association are allocated, or any larger percentage or fraction stated in the declaration, must vote in favor of or agree to such assignment.
Section 38 (a)(1-6) (NEW)	NEW	The following requirements apply to the association's authority under subdivision (4) of subsection (a) of section 47-244 of the general statutes, as amended by this act, to institute and maintain a proceeding alleging a construction defect with respect to the common interest community, against a declarant or an employee, independent contractor or other person directly or indirectly providing labor or materials to the declarant
Section 38 (a)(1-6) (NEW)	NEW	(1) Before association institutes such a proceeding it shall provide notice in a record of its claims to the declarant and those persons the association seeks to hold liable for the claimed defects. The text must give notice of the general nature of the association's claims, including a list of claimed defects. The notice may be delivered by any service and must provide actual notice to any persons named in the claim.
	NEW	(2) The association may not institute a proceeding against a person until 45 days after the association sends a notice of its claim to that person.

Section #	Old Law	New Law
	NEW	(3) During the period described, the declarant or other persons given notice may present to the association a plan to repair or remedy the construction defects.
	NEW	(4) If the association does not receive a timely remediation plan or agree to submitted plan it may institute proceedings against the person.
	NEW	Association must consider promptly those plans and notify person (s) if acceptable.
	NEW	(5) If an acceptable plan is made, parties shall agree on an implementation period for the plan. Association may not institute proceeding during the time the plan is being diligently implemented.
	NEW	(6) Any statute of limitations affecting the association's rights against a declarant or other person is tolled during this remediation period or extension of remediation period.
Section 38 (b)(NEW)	NEW	After the time period described in subdiv.(2) of subsection (a) of this section expires, whether or not the assoc. agrees to any remediation plan, a proceeding may be instituted by (1) assoc. if notice given and person failed to submit timely remediation plan or (2) unit owners.
Section 38 (c)(NEW)	NEW	This section does not preclude the association from making necessary repairs to mitigate damages or to correct any defect that poses a significant and immediate health risk.
Section 38 (d)(NEW)	NEW	<p>Subject to other provisions of this section, the executive board may determine whether and when to institute proceedings.</p> <p>The Declaration may not require a vote by any number or % of unit owners as a condition to institution of a proceeding.</p>

Section #	Old Law	New Law
Section 38 (e)(NEW)	NEW	Association can still seek equitable relief.
Section 38 (f)(NEW)	NEW	If time for termination of any period of declarant control occurs and the declarant fails to comply with subsection (d, f or g) of section 47-245 of gen statutes, as amended, the limitations set forth in this section of the association's authority to institute litigation shall not apply.
SECTION 41		
Section 41. Section 47- 270 (a) (7)	Added to previous provision *	A statement of any unsatisfied judgments against the association and the existence of any pending suits or administrative proceedings in which the association is a party, including foreclosures but excluding other collection matters.
Section 41 Section 47- 270(a) (8)	Added to previous provision *	a statement of the insurance coverage provided for the benefit of unit owners, providing any schedule of standard fixtures, improvements or betterments in the units covered by the association's insurance that the association prepared pursuant to Section (b) of section 47-255, as amended by this act.
Section 41 Section 47- 270(a) (14)	Added to previous provision	a statement disclosing the number of units whose owners are at least 60 days delinquent in paying their common charges on the date of the statement
Section 41 Section 47- 270(a) (15)	Added to previous provision	a statement disclosing the number of foreclosure actions brought by the association during the past twelve months and the number of actions pending on a specified date within 60 days of the date of the statement; and
Section 41 Section 47- 270(a) (16)	Added to previous provision	any established maintenance standards adopted by the association pursuant to subsection (e) of section 47-257, as amended by this act.

Section #	Old Law	New Law
Section 41 Section 47- 270(b) (1)	Added to previous provision *	Not later than 10 business days after receipt of a request in a record from a unit owner and payment by the unit owner of a fee established by the association that reflects the actual printing, photocopying and related costs, but in no event in excess of one hundred twenty-five dollars, plus either five cents for each page of document copies provided by the association pursuant to this section or a flat fee of \$10 for an electronic version of those documents , for the preparation of the certificate and other documents the....