

SENATE BILL NO. 222—SENATOR BUCK

FEBRUARY 19, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to common-interest communities. (BDR 10-640)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to common-interest communities; revising provisions relating to the recording of certain meetings in a common-interest community; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a unit’s owner to record, under certain circumstances, a
2 meeting of the units’ owners or executive board on audiotape or any other means of
3 sound reproduction if the unit’s owner, before recording the meeting, provides
4 notice of his or her intent to record the meeting. (NRS 116.3108, 116.31083)
5 **Section 1** of this bill authorizes a unit’s owner to record a meeting of the units’
6 owners through the use of any means of audio or video recording or reproduction.
7 **Section 2** of this bill similarly authorizes a unit’s owner to record a meeting of the
8 executive board through the use of any means of audio or video recording or
9 reproduction.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 116.3108 is hereby amended to read as
2 follows:
3 116.3108 1. A meeting of the units’ owners must be held at
4 least once each year at a time and place stated in or fixed in
5 accordance with the bylaws. If the governing documents do not
6 designate an annual meeting date of the units’ owners, a meeting of
7 the units’ owners must be held 1 year after the date of the last
8 meeting of the units’ owners. If the units’ owners have not held a
9 meeting for 1 year, a meeting of the units’ owners must be held on



1 the following March 1. At the annual meeting of the units' owners
2 held pursuant to this subsection, the ballots for the election of
3 members of the executive board must be opened and counted.

4 2. An association shall hold a special meeting of the units'
5 owners to address any matter affecting the common-interest
6 community or the association if its president, a majority of the
7 executive board or units' owners constituting at least 10 percent, or
8 any lower percentage specified in the bylaws, of the total number of
9 votes in the association request that the secretary call such a
10 meeting. To call a special meeting, the units' owners must submit a
11 written petition which is signed by the required percentage of the
12 total number of voting members of the association pursuant to this
13 subsection and which is mailed, return receipt requested, or served
14 by a process server to the executive board or the community
15 manager for the association. If the petition calls for a special
16 meeting, the executive board shall set the date for the special
17 meeting so that the special meeting is held not less than 15 days or
18 more than 60 days after the date on which the petition is received.
19 The association shall not adopt any rule or regulation which
20 prevents or unreasonably interferes with the collection of the
21 required percentage of signatures for a petition pursuant to this
22 subsection.

23 3. Not less than 15 days or more than 60 days in advance of
24 any meeting of the units' owners, the secretary or other officer
25 specified in the bylaws shall cause notice of the meeting to be given
26 to the units' owners in the manner set forth in NRS 116.31068. The
27 notice of the meeting must state the time and place of the meeting
28 and include a copy of the agenda for the meeting. The notice must
29 include notification of the right of a unit's owner to:

30 (a) Have a copy of the minutes or a summary of the minutes of
31 the meeting provided to the unit's owner upon request, in electronic
32 format at no charge to the unit's owner or, if the association is
33 unable to provide the copy or summary in electronic format, in
34 paper format at a cost not to exceed 25 cents per page for the first 10
35 pages, and 10 cents per page thereafter.

36 (b) Speak to the association or executive board, unless the
37 executive board is meeting in executive session.

38 4. The agenda for a meeting of the units' owners must consist
39 of:

40 (a) A clear and complete statement of the topics scheduled to be
41 considered during the meeting, including, without limitation, any
42 proposed amendment to the declaration or bylaws, any fees or
43 assessments to be imposed or increased by the association, any
44 budgetary changes and any proposal to remove an officer of the
45 association or member of the executive board.



1 (b) A list describing the items on which action may be taken and
2 clearly denoting that action may be taken on those items. In an
3 emergency, the units' owners may take action on an item which is
4 not listed on the agenda as an item on which action may be taken.

5 (c) A period devoted to comments by units' owners regarding
6 any matter affecting the common-interest community or the
7 association and discussion of those comments. Except in
8 emergencies, no action may be taken upon a matter raised under this
9 item of the agenda until the matter itself has been specifically
10 included on an agenda as an item upon which action may be taken
11 pursuant to paragraph (b).

12 5. The secretary or other officer specified in the bylaws shall
13 cause minutes to be recorded or otherwise taken at each meeting of
14 the units' owners. Not more than 30 days after each such meeting,
15 the secretary or other officer specified in the bylaws shall cause the
16 minutes or a summary of the minutes of the meeting to be made
17 available to the units' owners. Except as otherwise provided in this
18 subsection, a copy of the minutes or a summary of the minutes must
19 be provided to any unit's owner upon request, in electronic format at
20 no charge to the unit's owner or, if the association is unable to
21 provide the copy or summary in electronic format, in paper format
22 at a cost not to exceed 25 cents per page for the first 10 pages, and
23 10 cents per page thereafter.

24 6. Except as otherwise provided in subsection 7, the minutes of
25 each meeting of the units' owners must include:

26 (a) The date, time and place of the meeting;

27 (b) The substance of all matters proposed, discussed or decided
28 at the meeting; and

29 (c) The substance of remarks made by any unit's owner at the
30 meeting if the unit's owner requests that the minutes reflect his or
31 her remarks or, if the unit's owner has prepared written remarks, a
32 copy of his or her prepared remarks if the unit's owner submits a
33 copy for inclusion.

34 7. The executive board may establish reasonable limitations on
35 materials, remarks or other information to be included in the
36 minutes of a meeting of the units' owners.

37 8. The association shall maintain the minutes of each meeting
38 of the units' owners until the common-interest community is
39 terminated.

40 9. A unit's owner may record ~~[on audiotape or]~~ **through** any
41 ~~[other]~~ means of sound **or video recording or** reproduction a
42 meeting of the units' owners if the unit's owner, before recording
43 the meeting, provides notice of his or her intent to record the
44 meeting to the other units' owners who are in attendance at the
45 meeting.



1 10. The units' owners may approve, at the annual meeting of
2 the units' owners, the minutes of the prior annual meeting of the
3 units' owners and the minutes of any prior special meetings of
4 the units' owners. A quorum is not required to be present when the
5 units' owners approve the minutes.

6 11. As used in this section, "emergency" means any occurrence
7 or combination of occurrences that:

8 (a) Could not have been reasonably foreseen;

9 (b) Affects the health, welfare and safety of the units' owners or
10 residents of the common-interest community;

11 (c) Requires the immediate attention of, and possible action by,
12 the executive board; and

13 (d) Makes it impracticable to comply with the provisions of
14 subsection 3 or 4.

15 **Sec. 2.** NRS 116.31083 is hereby amended to read as follows:

16 116.31083 1. A meeting of the executive board must be held
17 at least once every quarter, and not less than once every 100 days
18 and must be held at a time other than during standard business hours
19 at least twice annually.

20 2. Except as otherwise provided in subsection 3 or in an
21 emergency or unless the bylaws of an association require a longer
22 period of notice, the secretary or other officer specified in the
23 bylaws of the association shall, not less than 10 days before the date
24 of a meeting of the executive board, cause notice of the meeting to
25 be given to the units' owners. Such notice must be:

26 (a) Given to the units' owners in the manner set forth in NRS
27 116.31068; or

28 (b) Published in a newsletter or other similar publication that is
29 circulated to each unit's owner.

30 3. Notwithstanding any other provision of law or the governing
31 documents of the association to the contrary, if the executive board
32 holds a meeting limited exclusively to items for which the executive
33 board may meet in executive session:

34 (a) Pursuant to paragraph (c) or (d) of subsection 3 of NRS
35 116.31085, the secretary or other officer specified in the bylaws of
36 the association is required to give notice of the meeting only to a
37 person who may be subject to a hearing scheduled for that meeting.

38 (b) Pursuant to any provision of law other than paragraph (c) or
39 (d) of subsection 3 of NRS 116.31085, the secretary or other officer
40 specified in the bylaws of the association is required to:

41 (1) Post notice of the executive session in one or more
42 prominent places within the common elements of the association;
43 and



1 (2) Provide electronic notice of the executive session to all
2 units' owners who have provided the association with an electronic
3 mail address.

4 4. In an emergency, the secretary or other officer specified in
5 the bylaws of the association shall, if practicable, cause notice of the
6 meeting to be sent prepaid by United States mail to the mailing
7 address of each unit within the common-interest community. If
8 delivery of the notice in this manner is impracticable, the notice
9 must be hand-delivered to each unit within the common-interest
10 community or posted in a prominent place or places within the
11 common elements of the association.

12 5. The notice of a meeting of the executive board must state the
13 time and place of the meeting and include a copy of the agenda for
14 the meeting or the date on which and the locations where copies of
15 the agenda may be conveniently obtained by the units' owners. The
16 notice must include notification of the right of a unit's owner to:

17 (a) Have a copy of the audio recording, the minutes or a
18 summary of the minutes of the meeting provided to the unit's owner
19 upon request, in electronic format at no charge to the unit's owner
20 or, if the association is unable to provide the copy or summary in
21 electronic format, in paper format at a cost not to exceed 25 cents
22 per page for the first 10 pages, and 10 cents per page thereafter.

23 (b) Speak to the association or executive board, unless the
24 executive board is meeting in executive session.

25 6. The agenda of the meeting of the executive board must
26 comply with the provisions of subsection 4 of NRS 116.3108. A
27 period required to be devoted to comments by the units' owners and
28 discussion of those comments must be scheduled for both the
29 beginning and the end of each meeting. During the period devoted
30 to comments by the units' owners and discussion of those comments
31 at the beginning of each meeting, comments by the units' owners
32 and discussion of those comments must be limited to items listed on
33 the agenda. In an emergency, the executive board may take action
34 on an item which is not listed on the agenda as an item on which
35 action may be taken.

36 7. At least once every quarter, and not less than once every 100
37 days, unless the declaration or bylaws of the association impose
38 more stringent standards, the executive board shall review, at a
39 minimum, the following financial information at one of its
40 meetings:

41 (a) A current year-to-date financial statement of the association;

42 (b) A current year-to-date schedule of revenues and expenses for
43 the operating account and the reserve account, compared to the
44 budget for those accounts;



1 (c) A current reconciliation of the operating account of the
2 association;

3 (d) A current reconciliation of the reserve account of the
4 association;

5 (e) The latest account statements prepared by the financial
6 institutions in which the accounts of the association are maintained;
7 and

8 (f) The current status of any civil action or claim submitted to
9 arbitration or mediation in which the association is a party.

10 8. The secretary or other officer specified in the bylaws shall
11 cause each meeting of the executive board to be audio recorded and
12 the minutes to be recorded or otherwise taken at each meeting of the
13 executive board, but if the executive board is meeting in executive
14 session, the meeting must not be audio recorded. Not more than 30
15 days after each such meeting, the secretary or other officer specified
16 in the bylaws shall cause the audio recording of the meeting, the
17 minutes of the meeting and a summary of the minutes of the
18 meeting to be made available to the units' owners. Except as
19 otherwise provided in this subsection, a copy of the audio recording,
20 the minutes or a summary of the minutes must be provided to any
21 unit's owner upon request, in electronic format at no charge to the
22 unit's owner or, if the association is unable to provide the copy or
23 summary in electronic format, in paper format at a cost not to
24 exceed 25 cents per page for the first 10 pages, and 10 cents per
25 page thereafter.

26 9. Except as otherwise provided in subsection 10 and NRS
27 116.31085, the minutes of each meeting of the executive board must
28 include:

29 (a) The date, time and place of the meeting;

30 (b) Those members of the executive board who were present and
31 those members who were absent at the meeting;

32 (c) The substance of all matters proposed, discussed or decided
33 at the meeting;

34 (d) A record of each member's vote on any matter decided by
35 vote at the meeting; and

36 (e) The substance of remarks made by any unit's owner who
37 addresses the executive board at the meeting if the unit's owner
38 requests that the minutes reflect his or her remarks or, if the unit's
39 owner has prepared written remarks, a copy of his or her prepared
40 remarks if the unit's owner submits a copy for inclusion.

41 10. The executive board may establish reasonable limitations
42 on materials, remarks or other information to be included in the
43 minutes of its meetings.



1 11. The association shall maintain the minutes of each meeting
2 of the executive board until the common-interest community is
3 terminated.

4 12. A unit's owner may record ~~on audiotape or~~ *through* any
5 ~~other~~ means of sound *or video recording or* reproduction a
6 meeting of the executive board, unless the executive board is
7 meeting in executive session, if the unit's owner, before recording
8 the meeting, provides notice of his or her intent to record the
9 meeting to the members of the executive board and the other units'
10 owners who are in attendance at the meeting.

11 13. As used in this section, "emergency" means any occurrence
12 or combination of occurrences that:

13 (a) Could not have been reasonably foreseen;

14 (b) Affects the health, welfare and safety of the units' owners or
15 residents of the common-interest community;

16 (c) Requires the immediate attention of, and possible action by,
17 the executive board; and

18 (d) Makes it impracticable to comply with the provisions of
19 subsection 2, 3 or 6.

20 **Sec. 3.** This act becomes effective upon passage and approval.



