

**SB2772**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB2772**

Introduced 1/20/2006, by Sen. William E. Peterson

**SYNOPSIS AS INTRODUCED:**

805 ILCS 105/108.21

from Ch. 32, par. 108.21

Amends the General Not For Profit Corporation Act of 1986. Provides for open meetings for the listed type of meetings of the board of directors of a residential not-for-profit homeowners association. Effective immediately.

LRB094 18971 LCT 54438 b

**A BILL FOR**

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The General Not For Profit Corporation Act of  
5 1986 is amended by changing Section 108.21 as follows:

6 (805 ILCS 105/108.21) (from Ch. 32, par. 108.21)

7 Sec. 108.21. Meetings of the board of directors of a  
8 residential not-for-profit homeowners association or  
9 cooperative not-for-profit corporation containing 24 or more  
10 units shall be open to any member, except for the portion of  
11 any meeting held (i) to discuss litigation when an action  
12 against or on behalf of the corporation has been filed and is  
13 pending in a court or administrative tribunal, or when the  
14 board of directors finds that such an action is probable or  
15 imminent, (ii) to consider information regarding appointment,  
16 employment or dismissal of an employee, or (iii) to discuss  
17 violations of rules and regulations of the corporation by a  
18 residential shareholder. Any member may record by tape, film or  
19 other means the proceedings at such meetings or portions  
20 thereof required to be open by this Section. The board may  
21 prescribe reasonable rules and regulations to govern the right  
22 to make such recordings. Notice of such meetings shall be  
23 mailed or delivered at least 48 hours prior thereto, unless a  
24 written waiver of such notice is signed by the person or  
25 persons entitled to such notice pursuant to the articles of  
26 incorporation, bylaws, other instrument before the meeting is  
27 convened. Copies of notices of meetings of the board of  
28 directors shall be posted in entranceways, elevators, or other  
29 conspicuous places in the residential cooperative at least 48  
30 hours prior to the meeting of the board of directors. If there  
31 is no common entranceway for 7 or more apartments, the board of  
32 directors may designate one or more locations in the proximity

1 of such units where the notices of meetings shall be posted.  
2 For purposes of this Section, "meeting of the board of  
3 directors" means any gathering of a quorum of the members of  
4 the board of directors of the residential cooperative held for  
5 the purpose of discussing business of the cooperative. The  
6 provisions of this Section shall apply to any residential  
7 cooperative containing 24 or more units situated in the State  
8 of Illinois regardless of where such cooperative may be  
9 incorporated.

10 (Source: P.A. 91-465, eff. 8-6-99; 92-638, eff. 1-1-03.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.