

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2823**

1 On page 3 of the printed A-engrossed bill, after line 29, insert:

2 “(24) ‘Records of an association’ or ‘records kept by or on behalf of an
3 association’ means information that is prepared, owned, used or retained by
4 a member of the board of directors of a homeowners association, or members
5 of a committee formed by the association, in the course of exercising re-
6 sponsibilities to the planned community, including information:

7 “(a) Provided to or by a member of the board, or a committee formed by
8 the association, concerning matters of the association;

9 “(b) Submitted to a member of the board, or a committee, considering the
10 adoption of policies; and

11 “(c) Documenting communications to or from a member of the board, or
12 a committee, concerning policies or practices of the association.”.

13 In line 30, delete “(24)” and insert “(25)”.

14 In line 33, delete “(25)” and insert “(26)”.

15 In line 43, delete “(26)” and insert “(27)”.

16 In line 44, delete “(27)” and insert “(28)”.

17 On page 4, line 1, delete “(28)” and insert “(29)”.

18 In line 4, delete “(29)” and insert “(30)”.

19 In line 5, delete “and 4” and insert “, 4 and 4a”.

20 On page 5, after line 16, insert:

21 **“SECTION 4a. (1) Notwithstanding contrary provisions of a gov-
22 erning document of a planned community, the homeowners associ-**

1 **ation, and the declarant during any period of declarant control, may**
2 **not prohibit an owner or occupant of a lot from displaying election-**
3 **related signs:**

4 **“(a) On the lot; or**

5 **“(b) On any other property or structure in the planned community**
6 **that is under the exclusive use and occupancy of the owner.**

7 **“(2) A homeowners association may impose reasonable restrictions**
8 **on the number and size of signs or the time period during which signs**
9 **may be displayed.”.**

10 On page 12, delete lines 28 through 32 and insert:

11 **“(10)(a) An association, and the declarant during any period of declarant**
12 **control, may not make information confidential or exempt from disclosure**
13 **to owners that is not made confidential or exempt from disclosure by ORS**
14 **94.550 to 94.783.**

15 **“(b) Except as provided in paragraph (c) of this subsection, the associ-**
16 **ation shall make the documents, information and records described in sub-**
17 **sections (1) to (3) of this section and all other records of the association**
18 **reasonably available for examination and, upon written request, including**
19 **written requests by electronic mail, facsimile or other electronic communi-**
20 **cations, available for duplication by an owner and any mortgagee of a lot**
21 **that makes the request in good faith for a proper purpose.”.**

22 In line 33, delete “(b)” and insert “(c)”.

23 On page 14, line 23, delete “and 4” and insert “, 4 and 4a”.

24 In line 35 delete “and 4” and insert “, 4 and 4a”.

25 In line 44 delete “and 4” and insert “, 4 and 4a”.

26 On page 15, line 5, delete “and 4” and insert “, 4 and 4a”.

27 On page 20, after line 10, insert:

28 **“(27) ‘Records of an association’ or ‘records kept by or on behalf of an**
29 **association’ means information that is prepared, owned, used or retained by**
30 **a member of the board of directors of an association of unit owners, or**

1 members of a committee formed by the association, in the course of exercis-
2 ing responsibilities to the condominium, including information:

3 “(a) Provided to or by a member of the board, or a committee formed by
4 the association, concerning matters of the association;

5 “(b) Submitted to a member of the board, or a committee, considering the
6 adoption of policies; and

7 “(c) Documenting communications to or from a member of the board, or
8 a committee, concerning policies or practices of the association.”.

9 In line 11, delete “(27)” and insert “(28)”.

10 In line 14, delete “(28)” and insert “(29)”.

11 In line 18, delete “(29)” and insert “(30)”.

12 In line 21, delete “(30)” and insert “(31)”.

13 In line 28, delete “(31)” and insert “(32)”.

14 In line 31, delete “(32)” and insert “(33)”.

15 In line 33, delete “(33)” and insert “(34)”.

16 In line 34, delete “(34)” and insert “(35)”.

17 In line 35, delete “(35)” and insert “(36)”.

18 In line 36, delete “(36)” and insert “(37)”.

19 In line 37, delete “(37)” and insert “(38)”.

20 In line 41, delete “(38)” and insert “(39)”.

21 In line 43, delete “(39)” and insert “(40)”.

22 On page 21, line 2, delete “(40)” and insert “(41)”.

23 In line 7, delete “(41)” and insert “(42)”.

24 In line 9, delete “(42)” and insert “(43)”.

25 In line 11, delete “and 15” and insert “, 15 and 15a”.

26 On page 22, after line 23, insert:

27 **“SECTION 15a. (1) Notwithstanding contrary provisions of the dec-**
28 **laration and bylaws of a condominium, the association of unit owners,**
29 **and the declarant during any period of declarant control, may not**
30 **prohibit a unit owner or occupant of a unit from displaying election-**

1 **related signs:**

2 **“(a) From within the unit;**

3 **“(b) In a space assigned to the unit;**

4 **“(c) In a limited common element with the written approval of the**
5 **unit owner of each unit to which use of the limited common element**
6 **is reserved; or**

7 **“(d) On any other property or structures in the condominium that**
8 **are under the exclusive use and occupancy of the owner.**

9 **“(2) An association of unit owners may impose reasonable re-**
10 **strictions on the number and size of signs or the time period during**
11 **which signs may be displayed.”.**

12 On page 31, delete lines 18 through 22 and insert:

13 **“(10)(a) An association of unit owners, and the declarant during any pe-**
14 **riod of declarant control, may not make information confidential or exempt**
15 **from disclosure to unit owners that is not made confidential or exempt from**
16 **disclosure by ORS chapter 100.**

17 **“(b) Except as provided in paragraph (c) of this subsection, the associ-**
18 **ation shall make the documents, information and records described in sub-**
19 **sections (1) to (3) of this section and all other records of the association**
20 **reasonably available for examination and, upon written request, including**
21 **written requests by electronic mail, facsimile or other electronic communi-**
22 **cations, available for duplication by a unit owner and any mortgagee of a**
23 **unit that makes the request in good faith for a proper purpose.”.**

24 In line 23, delete “(b)” and insert “(c)”.

25
