

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 20, 2012  
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB12-1237 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 11, change the semicolon to a comma
- 2 and add "INCLUDING SETTLEMENTS OF CLAIMS FOR CONSTRUCTION
- 3 DEFECTS UNLESS THOSE SETTLEMENTS ARE, BY THEIR TERMS, REQUIRED
- 4 TO BE KEPT CONFIDENTIAL;".
  
- 5 Page 2, line 16, strike "DELIBERATIONS" and substitute
- 6 "COMMUNICATIONS AMONG," and strike "BY" and substitute "BY,".
  
- 7 Page 3, line 9, strike "TEN" and substitute "SEVEN".
  
- 8 Page 3, line 22, after the semicolon add "EXCEPT THAT DESIGNS AND
- 9 ARCHITECTURAL DRAWINGS AND PLANS ARE PROPRIETARY AND SHALL NOT
- 10 BE RELEASED WITHOUT THE WRITTEN CONSENT OF THE LEGAL OWNER OF
- 11 THE DESIGNS, DRAWINGS, OR PLANS;".
  
- 12 Page 4, line 5, after "(2)" insert "(a)" and strike "(3)" and substitute "(3),
- 13 (3.5),".
  
- 14 Page 4, after line 18, insert:
  
- 15 "(b) (I) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
- 16 (2), A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE OBTAINED OR
- 17 USED BY ANY PERSON FOR ANY PURPOSE UNRELATED TO A UNIT OWNER'S
- 18 INTEREST AS A UNIT OWNER WITHOUT CONSENT OF THE EXECUTIVE BOARD.

1 (II) WITHOUT LIMITING THE GENERALITY OF SUBPARAGRAPH (I) OF  
2 THIS PARAGRAPH (b), WITHOUT THE CONSENT OF THE EXECUTIVE BOARD,  
3 A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE:

4 (A) USED TO SOLICIT MONEY OR PROPERTY UNLESS SUCH MONEY  
5 OR PROPERTY WILL BE USED SOLELY TO SOLICIT THE VOTES OF THE UNIT  
6 OWNERS IN AN ELECTION TO BE HELD BY THE ASSOCIATION;

7 (B) USED FOR ANY COMMERCIAL PURPOSE; OR

8 (C) SOLD TO OR PURCHASED BY ANY PERSON."

9 Page 4, strike lines 22 and 23.

10 Reletter succeeding paragraphs accordingly.

11 Page 5, after line 14, insert:

12 "(h) THE NAMES AND PHYSICAL MAILING ADDRESSES OF UNIT  
13 OWNERS IF THE UNIT IS A TIME-SHARE UNIT, AS DEFINED IN SECTION  
14 38-33-110 (7), C.R.S."

15 Page 5, strike lines 15 through 18 and substitute:

16 "(3.5) RECORDS MAINTAINED BY AN ASSOCIATION ARE NOT  
17 SUBJECT TO INSPECTION AND COPYING, AND MUST BE WITHHELD, TO THE  
18 EXTENT THAT THEY ARE OR CONCERN:

19 (a) PERSONNEL, SALARY, OR MEDICAL RECORDS RELATING TO  
20 SPECIFIC INDIVIDUALS; OR

21 (b) PERSONAL IDENTIFICATION AND ACCOUNT INFORMATION OF  
22 MEMBERS, INCLUDING BANK ACCOUNT INFORMATION, TELEPHONE  
23 NUMBERS, ELECTRONIC MAIL ADDRESSES, DRIVER'S LICENSE NUMBERS,  
24 AND SOCIAL SECURITY NUMBERS."

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