

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 Business Corporation Act of 1983 is amended
5 by changing Section 2.35 as follows:

6 (805 ILCS 5/2.35) (from Ch. 32, par. 2.35)

7 Sec. 2.35. Meetings of the board of directors of a
8 residential cooperative corporation ~~containing 24 or more~~
9 ~~units~~ shall be open to any residential shareholder, except for
10 the portion of any meeting held (i) to discuss litigation when
11 an action against or on behalf of the corporation has been
12 filed and is pending in a court or administrative tribunal, or
13 when the board of directors finds that such an action is
14 probable or imminent, (ii) to consider information regarding
15 appointment, employment or dismissal of an employee, or (iii)
16 to discuss violations of rules and regulations of the
17 corporation by a residential shareholder. Any residential
18 shareholder may record by tape, film or other means the
19 proceedings at such meetings or portions thereof required to be
20 open by this Section. The board may prescribe reasonable rules
21 and regulations to govern the right to make such recordings.
22 Notice of such meetings shall be mailed or delivered at least
23 48 hours prior thereto, unless a written waiver of such notice
24 is signed by the person or persons entitled to such notice
25 pursuant to the articles of incorporation, bylaws, or other
26 instrument before the meeting is convened. Copies of notices of
27 meetings of the board of directors shall be posted in
28 entranceways, elevators, or other conspicuous places in the
29 residential cooperative at least 48 hours prior to the meeting
30 of the board of directors. If there is no common entranceway
31 for 7 or more apartments, the board of directors may designate
32 one or more locations in the proximity of such units where the

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

9 (Source: P.A. 92-638, eff. 1-1-03.)

10 Section 10. The General Not For Profit Corporation Act of
11 1986 is amended by changing Section 108.21 as follows:

12 (805 ILCS 105/108.21) (from Ch. 32, par. 108.21)

13 Sec. 108.21. Meetings of the board of directors of a
14 not-for-profit homeowners association or residential
15 cooperative not-for-profit corporation ~~containing 24 or more~~
16 ~~units~~ shall be open to any member, except for the portion of
17 any meeting held (i) to discuss litigation when an action
18 against or on behalf of the corporation has been filed and is
19 pending in a court or administrative tribunal, or when the
20 board of directors finds that such an action is probable or
21 imminent, (ii) to consider information regarding appointment,
22 employment or dismissal of an employee, or (iii) to discuss
23 violations of rules and regulations of the corporation ~~by a~~
24 ~~residential shareholder~~. Any member may record by tape, film or
25 other means the proceedings at such meetings or portions
26 thereof required to be open by this Section. The board may
27 prescribe reasonable rules and regulations to govern the right
28 to make such recordings. Notice of such meetings shall be
29 mailed or delivered at least 48 hours prior thereto, unless a
30 written waiver of such notice is signed by the person or
31 persons entitled to such notice pursuant to the articles of
32 incorporation, bylaws, other instrument before the meeting is
33 convened. Copies of notices of meetings of the board of
34 directors shall be posted in entranceways, elevators, or other

1 conspicuous places ~~in the residential cooperative~~ at least 48
2 hours prior to the meeting of the board of directors. If there
3 is no common entranceway for 7 or more units ~~apartments~~, the
4 board of directors may designate one or more locations in the
5 proximity of such units where the notices of meetings shall be
6 posted. For purposes of this Section, "meeting of the board of
7 directors" means any gathering of a quorum of the members of
8 the board of directors ~~of the residential cooperative~~ held for
9 the purpose of discussing business of the homeowners
10 association or cooperative. The provisions of this Section
11 shall apply to any homeowners association or residential
12 cooperative ~~containing 24 or more units~~ situated in the State
13 of Illinois regardless of where it ~~such cooperative~~ may be
14 incorporated.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.