

2026 -- S 2899

LC005047

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PROPERTY -- CONDOMINIUM LAW

Introduced By: Senators McKenney, Raptakis, Britto, Zurier, and Bissailon

Date Introduced: March 04, 2026

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 34-36.1-3.08 and 34-36.1-3.18 of the General Laws in Chapter 34-
2 36.1 entitled "Condominium Law" are hereby amended to read as follows:

3 **34-36.1-3.08. ~~Meetings and notice~~ Meetings and notice, open guidance, minutes,**
4 **executive session.**

5 (a) A meeting of the association must be held at least once each year. Special meetings of
6 the association may be called by the president, a majority of the executive board or by unit owners
7 having twenty percent (20%), or any lower percentage specified in the bylaws, of the votes in the
8 association. Special meetings requested by unit owners of at least twenty percent (20%), or any
9 lower percentage specified in the bylaws, of the votes in the association must be called by the
10 executive board if the stated purpose is to propose an amendment of the declaration or bylaws,
11 reject the budget, remove a director or officer and elect a replacement, or for any other purpose of
12 which the unit owners are entitled to vote, except for the general election of board members which
13 is to take place at the annual meeting. Not less than ten (10) nor more than sixty (60) days in
14 advance of any meeting, the secretary or other officer specified in the bylaws shall cause notice to
15 be hand delivered or sent prepaid by United States mail to the mailing address of each unit or to
16 any other mailing address designated in writing by the unit owner.

17 (b) The notice of any meeting must state the time and place of the meeting and the items
18 on the agenda, including the general nature of any proposed amendment to the declaration or
19 bylaws, any budget changes, and any proposal to remove a director or officer.

1 (c) Notwithstanding any provisions in the declaration or bylaws to the contrary, the
2 association may conduct regular or special meetings of the executive board and annual or special
3 meetings of the unit owners by electronic means so that physical presence is not required. All
4 association meetings that take place in a physical location shall be in the county where the
5 condominium is located. All association meetings may be held fully or partially by telephonic or
6 video conference or other interactive electronic communication process as determined by the
7 executive board; provided, however, that all participants shall be able to simultaneously
8 communicate with each other during the meeting. Presence by such electronic means shall satisfy
9 any quorum and voting requirements in the association's governing documents as well as the
10 requirements of §§ 34-36.1-3.09 and 34-36.1-3.10. Where participation by electronic means is
11 provided for, the notice of any meeting shall, in addition to the requirements of subsection (b) of
12 this section, also identify the remote platform being used and provide the necessary access
13 information to all unit owners to participate.

14 (d) Where a regular or special meeting of the executive board is held fully or partially by
15 electronic means pursuant to subsection (c) of this section and a quorum has been established, the
16 executive board may vote on any action properly before the board by electronic means including,
17 but not limited to, email, telephonic conferencing, video conferencing, and electronic voting
18 platforms. Where an annual or special meeting of the unit owners is held fully or partially by
19 electronic means pursuant to subsection (c) of this section and a quorum has been established, the
20 unit owners may vote on any action before the membership by electronic means including, but not
21 limited to, telephonic conferencing, video conferencing, or electronic voting platforms, or mail-in
22 ballot, as determined by the executive board. If the declaration or bylaws requires the signature of
23 unit owners for such voting or proxies, unit owners may electronically submit their signatures as
24 determined by the executive board.

25 (e) Notwithstanding subsection (a) of this section and any provisions in the declaration or
26 bylaws to the contrary, notice of any meeting may alternatively, or additionally, be provided
27 electronically to a unit owner's email address if such email address has been designated in writing
28 by the unit owner along with written consent to receive meeting notices from the association
29 electronically. Any meeting notice may also be provided alternatively, or additionally, by posting
30 the notice to a secure website or portal of the association or of the association's agent, if the unit
31 owner has consented in writing to receive meeting notices from the association via electronic
32 posting. Unit owners may opt out of electronic delivery or electronic posting of meeting notices at
33 any time by written revocation submitted to the association.

34 [\(f\) Regular and special meetings of the executive board shall be open to unit owners, except](#)

1 for executive sessions convened to discuss privileged legal communications, personnel matters, or
2 delinquencies of specific owners. The executive board shall provide a reasonable opportunity for
3 owner comment, at the meeting, on agenda items prior to any vote.

4 (g) Notice. Not less than five (5) days prior to any regular meeting of the executive board
5 and no less than twenty-four (24) hours for special meetings, the executive board shall provide
6 owners with the date, time, agenda topics, and physical and/or remote access instructions by
7 reasonable means, including electronic notice where an owner has consented.

8 (h) Minutes. Minutes of executive board and unit owner meetings shall be recorded,
9 approved, and made available to owners within thirty (30) days after approval. Executive-session
10 minutes shall state the general topic and legal basis without privileged detail.

11 (i) Annual meeting. The annual meeting of unit owners shall include presentation of the
12 budget, (if there is no separate budget meeting otherwise held in that fiscal year), reserves status,
13 update on insurance coverages, and notice of any significant contracts entered into by the
14 association, with any advance materials made available not less than ten (10) days before the
15 meeting.

16 **34-36.1-3.18. Association records Association records - Access to records, timelines,**
17 **formats, penalties.**

18 (a) The association shall keep financial records sufficiently detailed to enable the
19 association to comply with § 34-36.1-4.09. All financial and other records shall be made reasonably
20 available for examination within thirty (30) days of a request by any unit owner and his or her
21 authorized agent.

22 (b) Records requested pursuant to this section shall include minutes, insurance policies,
23 bank statements, signed contracts, reserve and condition studies, results of any financial review or
24 audit, and paid vendor invoices.

25 SECTION 2. Chapter 34-36.1 of the General Laws entitled "Condominium Law" is hereby
26 amended by adding thereto the following section:

27 **34-36.1-3.22. Financial audits for condominium associations.**

28 (a) Applicability. Every condominium association organized under this chapter that
29 governs more than twenty (20) units shall be subject to the financial review requirements set forth
30 in this section.

31 (b) Financial review requirement. Each association subject to this section shall obtain an
32 independent financial review of the association's books, records, and accounts at least once every
33 five (5) fiscal years.

34 (c) Reviewer qualifications. The review shall be conducted by a certified public accountant

1 licensed in this state, who is independent of the association, its managing agent, and any officer or
2 employee of the association.

3 (d) Distribution of review. A copy of the completed review shall be:

4 (1) Provided to the executive board upon completion; and

5 (2) Made available to all unit owners upon request, and provided to any unit owner who
6 requests a copy in writing, subject to reasonable copying costs.

7 (e) Cost of review. The cost of the review shall be a common expense of the association.

8 (f) Financial review discrepancies. In the event the financial review report identifies any
9 inconsistencies, the executive board shall proceed to a full audit, which cost shall be a common
10 expense and complete in accordance with subsection (c) of this section and distributed pursuant to
11 subsection (d) of this section.

12 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PROPERTY -- CONDOMINIUM LAW

- 1 This act would amend various sections of the condominium law to enhance transparency
- 2 and establish a condominium ombudsman.
- 3 This act would take effect upon passage.

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