

HOUSE BILL No. 2177

By Committee on Judiciary

1-25

AN ACT concerning the rights of residents of retirement communities to be represented on boards and committees of such communities.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) If the developer of a Kansas retirement subdivision or community is incorporated under Kansas statutes as a nonprofit corporation and such corporation governs the management of the retirement subdivision, the following shall apply:

(1) The residents, purchasers or lessees of lands or units in the subdivision or community shall annually have the opportunity to democratically select and designate one or more individuals, not to exceed $\frac{1}{3}$ the number of other members of the governing body, to represent the residents, purchasers and lessees and to act as members of the governing body of the corporation. The representatives shall have the right to be present at all meetings, including committee meetings and executive sessions, of the governing body, to speak and express opinions, and to vote on any of the business to come before the governing body. The representatives shall be deemed to have been duly installed and to have their terms commence on their election;

(2) the election shall be conducted in total by the residents, purchasers and lessees, described in paragraph (1) pursuant to rules adopted by them in open session; and

(3) the developer shall in no way attempt to interfere with, influence or abridge the right of the residents, lessees and purchasers to organize and conduct the election or results of the election.

(b) Violation of this section is a class B nonperson misdemeanor.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.