

381.792 Required provisions in declaration or bylaws -- Meetings -- Notice -- Quorum.

In an association's declaration or bylaws, an association shall include the following:

- (1) An annual meeting of the association shall be held at least once per year. A quorum for an association meeting is ten percent (10%) of the lot owners;
- (2) Special meetings of the association may be called by the president, a majority of the board, or by written request of twenty percent (20%) of the owners or any lower percentage specified in the declaration or bylaws. Upon receipt of a written request of the owners for a special meeting, the secretary shall convene the special meeting within thirty (30) days of receipt of a written request;
- (3) Notice of meetings of the association shall be given to owners no less than ten (10) days nor more than thirty (30) days in advance of any meeting. The secretary or other officer specified in the bylaws shall send notice by United States mail to the mailing address of record for each owner, or hand-delivered, or electronically delivered to each owner. The notice of any meeting shall state the time and place of the meeting and the items on the agenda; and
- (4) A quorum is deemed present throughout any meeting of the association if persons entitled to cast ten percent (10%) of the total lots which may be cast are in person or by proxy at the beginning of the meeting, subject to the following provisions:
 - (a) Votes allocated to a lot may be cast in person or pursuant to proxy duly executed by a lot owner. A proxy terminates one (1) year after its signed date, unless it specifies a shorter term;
 - (b) Each lot shall have one (1) vote, and cumulative voting shall not be allowed. The declaration or bylaws may provide for the option of electronic voting or voting by mail; and
 - (c) The actions approved by a majority of the votes cast at an association meeting shall constitute the actions of the owners, except when approval by a greater number of owners is required by the declaration or bylaws.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 23, sec. 8, effective June 29, 2023.