

1 AN ACT in relation to corporations.

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  
5 amended 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 ~~and--located--in-a-city-containing-more-than-1,000,000~~  
10 ~~inhabitants~~ shall be open to any residential shareholder,  
11 except for the portion of any meeting held (i) to discuss  
12 litigation when an action against or on behalf of the  
13 corporation has been filed and is pending in a court or  
14 administrative tribunal, or when the board of directors finds  
15 that such an action is probable or imminent, (ii) to consider  
16 information regarding appointment, employment or dismissal of  
17 an employee, or (iii) to discuss violations of rules and  
18 regulations of the corporation by a residential shareholder.  
19 Any residential shareholder may record by tape, film or other  
20 means the proceedings at such meetings or portions thereof  
21 required to be open by this Section. The board may prescribe  
22 reasonable rules and regulations to govern the right to make  
23 such recordings. Notice of such meetings shall be mailed or  
24 delivered at least 48 hours prior thereto, unless a written  
25 waiver of such notice is signed by the person or persons  
26 entitled to such notice pursuant to the articles of  
27 incorporation, bylaws, or other instrument before the meeting  
28 is convened. Copies of notices of meetings of the board of  
29 directors shall be posted in entranceways, elevators, or  
30 other conspicuous places in the residential cooperative at  
31 least 48 hours prior to the meeting of the board of

1 directors. If there is no common entranceway for 7 or more  
2 apartments, the board of directors may designate one or more  
3 locations in the proximity of such units where the notices of  
4 meetings shall be posted. For purposes of this Section,  
5 "meeting of the board of directors" means any gathering of a  
6 quorum of the members of the board of directors of the  
7 residential cooperative held for the purpose of discussing  
8 business of the cooperative. The provisions of this Section  
9 shall apply to any residential cooperative containing 24 or  
10 more units ~~and--located--in--a--city--containing--more--than~~  
11 ~~1,000,000--inhabitants~~ situated in the State of Illinois  
12 regardless of where such cooperative may be incorporated.  
13 (Source: P.A. 85-1269.)

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

16 (805 ILCS 105/108.21) (from Ch. 32, par. 108.21)  
17 Sec. 108.21. Meetings of the board of directors of a  
18 residential cooperative not-for-profit corporation containing  
19 24 or more units ~~and--located--in--a--city--containing--more--than~~  
20 ~~1,000,000--inhabitants--or--containing--50--or--more--single--family~~  
21 ~~units--with--individual--unit--legal--descriptions--based--upon--a~~  
22 ~~recorded--plat--of--a--subdivision--and--located--in--a--county--with--a~~  
23 ~~population--between--780,000--and--3,000,000--inhabitants~~ shall be  
24 open to any member, except for the portion of any meeting  
25 held (i) to discuss litigation when an action against or on  
26 behalf of the corporation has been filed and is pending in a  
27 court or administrative tribunal, or when the board of  
28 directors finds that such an action is probable or imminent,  
29 (ii) to consider information regarding appointment,  
30 employment or dismissal of an employee, or (iii) to discuss  
31 violations of rules and regulations of the corporation by a  
32 residential shareholder. Any member may record by tape, film

1 or other means the proceedings at such meetings or portions  
2 thereof required to be open by this Section. The board may  
3 prescribe reasonable rules and regulations to govern the  
4 right to make such recordings. Notice of such meetings shall  
5 be mailed or delivered at least 48 hours prior thereto,  
6 unless a written waiver of such notice is signed by the  
7 person or persons entitled to such notice pursuant to the  
8 articles of incorporation, bylaws, other instrument before  
9 the meeting is convened. Copies of notices of meetings of the  
10 board of directors shall be posted in entranceways,  
11 elevators, or other conspicuous places in the residential  
12 cooperative at least 48 hours prior to the meeting of the  
13 board of directors. If there is no common entranceway for 7  
14 or more apartments, the board of directors may designate one  
15 or more locations in the proximity of such units where the  
16 notices of meetings shall be posted. For purposes of this  
17 Section, "meeting of the board of directors" means any  
18 gathering of a quorum of the members of the board of  
19 directors of the residential cooperative held for the purpose  
20 of discussing business of the cooperative. The provisions of  
21 this Section shall apply to any residential cooperative  
22 containing 24 or more units ~~and-located-in-a-city--containing~~  
23 ~~more--than--1,000,000--inhabitants--or--containing-50-or-more~~  
24 ~~single-family-units-and-located-in-a-county-with-a-population~~  
25 ~~between-780,000-and-3,000,000--inhabitants~~ situated in the  
26 State of Illinois regardless of where such cooperative may be  
27 incorporated.

28 (Source: P.A. 91-465, eff. 8-6-99.)