

1 a vote on any other matter affecting the common interest community on  
2 which all unit owners are entitled to vote shall be by secret ballot.

3 (C) Ballots shall be counted by a neutral third party or by a unit  
4 owner who is not a candidate, who attends the meeting at which the vote  
5 is held, and who is selected at random from a pool of two or more such  
6 unit owners COMMITTEE OF VOLUNTEERS. SUCH VOLUNTEERS SHALL BE  
7 UNIT OWNERS WHO ARE SELECTED OR APPOINTED AT AN OPEN MEETING, IN  
8 A FAIR MANNER, BY THE CHAIR OF THE BOARD OR ANOTHER PERSON  
9 PRESIDING DURING THAT PORTION OF THE MEETING. THE VOLUNTEERS  
10 SHALL NOT BE BOARD MEMBERS AND, IN THE CASE OF A CONTESTED  
11 ELECTION FOR A BOARD POSITION, SHALL NOT BE CANDIDATES.

12 (D) The results of the A vote TAKEN BY SECRET BALLOT shall be  
13 reported without reference to THE names, addresses, or other identifying  
14 information OF UNIT OWNERS PARTICIPATING IN SUCH VOTE.

15 **SECTION 11.** 38-33.3-310.5, Colorado Revised Statutes, is  
16 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

17 **38-33.3-310.5. Executive board - conflicts of interest -**  
18 **definitions.** (1) SECTION 7-128-501, C.R.S., SHALL APPLY TO MEMBERS  
19 OF THE EXECUTIVE BOARD; EXCEPT THAT, AS USED IN THAT SECTION:

20 (a) "CORPORATION" OR "NONPROFIT CORPORATION" MEANS THE  
21 ASSOCIATION.

22 (b) "DIRECTOR" MEANS A MEMBER OF THE ASSOCIATION'S  
23 EXECUTIVE BOARD.

24 (c) "OFFICER" MEANS ANY PERSON DESIGNATED AS AN OFFICER OF  
25 THE ASSOCIATION AND ANY PERSON TO WHOM THE BOARD DELEGATES  
26 RESPONSIBILITIES UNDER THIS ARTICLE, INCLUDING, WITHOUT LIMITATION,  
27 A MANAGING AGENT, ATTORNEY, OR ACCOUNTANT EMPLOYED BY THE  
28 BOARD.

29 **SECTION 12.** 38-33.3-317 (2), (3), (4), and (7), Colorado  
30 Revised Statutes, are amended to read:

31 **38-33.3-317. Association records.** (2) (a) EXCEPT AS  
32 OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2), all

