

BILL ANALYSIS

Senate Research Center

S.B. 1864
By: Ellis
Jurisprudence
3-27-97
As Filed

DIGEST

Currently, property owners' associations located wholly or in part in Harris County have certain powers relating to restrictive covenants. Certain provisions, however, were inadvertently included in the Property Code, contrary to legislative intent. This bill will provide new regulations regarding the powers of certain property owners' associations.

PURPOSE

As proposed, S.B. 1864 provides new regulations regarding the powers of certain property owners' associations.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 204.008, Property Code, to authorize an extension, addition to, or modification of restrictions proposed by a property owners' association to be adopted at a meeting of the members represented by the property owners' association if written notice of the meeting stating the purpose of the meeting is delivered to each owner of the property in the subdivision not later than the 10th day before the date the meeting is scheduled.

SECTION 2. Amends Section 204.010(a), Property Code, to authorize the property owner association to regulate the use, maintenance, repair, replacement, modification, and appearance of the common areas of the subdivision. Deletes the provisions regarding certain actions that may be taken by property owners' associations. Makes conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.