

BILL ANALYSIS

Senate Research Center
80R3865 AJA-F

S.B. 566
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, certain residential real estate subdivisions do not have a procedure by which deed restrictions may be amended, or if do they such have a procedure, it must have the unanimous consent of all the property owners in the subdivision. Current law provides a mechanism for allowing residential subdivisions to amend deed restrictions in subdivisions located in counties with a population of less than 65,000 residents.

As proposed, S.B. 566 applies Chapter 211, Property Code to certain residential subdivisions located in unincorporated areas regardless of county population to provide more residents of certain subdivisions a process to amend their deed restrictions by the consent of two-thirds of the property owners in the subdivision.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 211.002(a), Property Code, as follows:

- (a) Provides that Chapter 211 (Amendment and Enforcement of Restrictions in Certain Subdivisions) only applies to a residential real estate subdivision or any unit or parcel of a subdivision to which another chapter in this title that provides a procedure under which a subdivision's restrictions may be amended does not apply. Deletes existing text providing that this chapter only applies to a subdivision located in whole or in part within an unincorporated area of a county if the county has a population of less than 65,000.

SECTION 2. Effective date: upon passage or September 1, 2007.