

## **BILL ANALYSIS**

Senate Research Center  
83R15076 TJS-D

S.B. 1853  
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Intergovernmental Relations  
4/5/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Certain neighborhood associations in Llano County that are in a municipality's extraterritorial jurisdictions are unable to change their deed restrictions because the restrictions do not contain a procedure allowing for a change or may not be amended without the unanimous consent of the property owners. By amending Chapter 211 (Amendment and Enforcement of Restrictions in Certain Subdivisions) of the Property Code, they could develop a procedure to amend their own deed restrictions.

S.B. 1853 redefines residential real estate subdivision to include neighborhoods in Llano County that are also in a municipality's extraterritorial jurisdiction. This change will allow the associations to govern under democratic principles of self-government and to make improvements to their restrictions needed because of changing circumstances.

As proposed, S.B. 1853 amends current law relating to the amendment of restrictions affecting real property in certain subdivisions.

### **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 211.001(4), Property Code, to redefine "residential real estate subdivision."

SECTION 2. Amends Section 211.002(a), Property Code, as follows:

(a) Provides that this chapter applies only to a residential real estate subdivision or any unit or parcel of a subdivision:

(1)-(2) Makes nonsubstantive changes; or

(3) all of which is located within the extraterritorial jurisdiction of a municipality located in a county that borders Lake Buchanan and has a population of at least 18,500 and less than 19,500.

SECTION 3. Effective date: September 1, 2013.