

By: Schofield

H.B. No. 1569

A BILL TO BE ENTITLED

AN ACT

relating to regulation by a property owners' association of certain religious displays.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 202.018(a) and (b), Property Code, are amended to read as follows:

(a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a provision in a dedicatory instrument, including a restrictive covenant, that prohibits a property owner or resident from displaying or affixing on the ~~[entry to the]~~ owner's or resident's property ~~[dwelling]~~ one or more religious items the display of which is motivated by the owner's or resident's sincere religious belief.

(b) This section does not prohibit the enforcement or adoption of a provision in a dedicatory instrument, including a restrictive covenant, that, to the extent allowed by the constitution of this state and the United States, prohibits the display or affixing of a religious item on the ~~[entry to the]~~ owner's or resident's property ~~[dwelling]~~ that:

(1) threatens the public health or safety;

(2) violates a law other than a law prohibiting the display of religious speech; or

(3) contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its

1 religious content [↗

2 ~~[(4) is in a location other than the entry door or door~~
3 ~~frame or extends past the outer edge of the door frame of the~~
4 ~~owner's or resident's dwelling; or~~

5 ~~[(5) individually or in combination with each other~~
6 ~~religious item displayed or affixed on the entry door or door frame~~
7 ~~has a total size of greater than 25 square inches].~~

8 SECTION 2. Sections [202.018](#)(c) and (d), Property Code, are
9 repealed.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section [39](#), Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.