

By: Raney

H.B. No. 2428

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to requirements for a vote to amend certain dedicatory  
3 instruments by a property owners' association.

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

5 SECTION 1. Section 209.0041(h), Property Code, is amended  
6 to read as follows:

7 (h) A [~~Except as provided by Subsection (h-1) or (h-2), a~~]  
8 declaration may be amended only by a vote of 67 percent of the  
9 [~~total votes allocated to~~] property owners entitled to vote on the  
10 amendment of the declaration and present in person or by proxy at  
11 the time the vote is taken, in addition to any governmental approval  
12 required by law.

13 SECTION 2. Sections 209.0041(h-1) and (h-2), Property Code,  
14 are repealed.

15 SECTION 3. The change in law made by this Act applies only  
16 to a vote held on or after the effective date of this Act. A vote  
17 held before the effective date of this Act is governed by the law as  
18 it existed immediately before that date, and that law is continued  
19 in effect for that purpose.

20 SECTION 4. This Act takes effect September 1, 2023.