

By: Alvarado

S.B. No. 1363

A BILL TO BE ENTITLED

AN ACT

relating to enforcement by a property owners' association of a restrictive covenant that prevents a property owner from building or installing certain security measures.

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

SECTION 1. Section 202.023(c), Property Code, is amended to read as follows:

(c) This section does not prohibit a property owners' association from:

(1) prohibiting the installation of a security camera by a property owner in a place other than the property owner's private property; ~~or~~

(2) regulating the type of fencing that a property owner may install; or

(3) adopting or enforcing a restrictive covenant that prohibits perimeter fencing in front of the front building line if that restriction has been approved by at least 75 percent of the property owners of the subdivision after the initial creation of the subdivision.

SECTION 2. The change in law made by this Act does not authorize a property owners' association to prohibit a security measure built or installed by a property owner before the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2023.