

By: Lindsay

S.B. No. 1886

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to foreclosure of certain property owners' association's  
3 liens.

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

5 SECTION 1. Chapter 209, Property Code, is amended by adding  
6 Section 209.0091 to read as follows:

7 Sec. 209.0091. JUDICIAL FORECLOSURE REQUIRED. A property  
8 owners' association may not foreclose a property owners'  
9 association's assessment lien unless the association obtains a  
10 court judgment foreclosing the lien and ordering the sale.

11 SECTION 2. Sections 209.008(f) and (g), Property Code, are  
12 repealed.

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2005.