

BILL ANALYSIS

C.S.H.B. 3518
By: Creighton
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 204 of the Property Code permits property owners to amend restrictive covenants if a petition is signed by at least 75% of the property owners in the subdivision. However, Section 204.003 exempts subdivisions whose restrictive covenants have an express designation on how restrictions may be amended.

C.S.H.B. 3518 would allow Chapter 204 to prevail over competing provisions of restrictive covenants in certain subdivisions in Montgomery County.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3518 amends the Property Code to allow non-gated subdivisions, located in a county described by Section 204.002 (a) (3), to amend restrictive covenants as prescribed by Chapter 204 under certain conditions.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original to conform to Texas Legislative Council style and format.