

By: Hochberg

H.B. No. 2218

A BILL TO BE ENTITLED

AN ACT

relating to the vesting of architectural control committee authority in certain subdivisions.

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

SECTION 1. Section 204.011, Property Code, is amended by adding Subsection (d) to read as follows:

(d) If existing restrictions applicable to a subdivision do not provide for a property owners' association and a property owners' association has not been formed, the architectural control committee authority over the entire subdivision vests in a civic association other than a property owners' association if:

(1) an architectural control committee created by the restrictions exercised the architectural control committee authority as provided by the restrictions for at least 20 years;

(2) an architectural control committee created by the restrictions assigned the civic association the architectural control committee authority over a majority of the lots in the subdivision;

(3) the civic association was assigned the architectural control committee authority over a majority of the lots in the subdivision and has exercised that authority over the entire subdivision for at least 10 years; and

(4) the architectural control committee authority has lapsed in the lots in which the civic association lacks authority,

1 and the lapse is solely the result of death or other cause resulting  
2 from the inability to locate members of the architectural control  
3 committee and its assigns.

4 SECTION 2. This Act takes effect September 1, 2007.