

Amend CSSB 238 (Senate committee printing), in SECTION 1 of the bill, as follows:

(1) Strike added Section 209.005(c), Property Code (page 1, lines 21 through 40), and substitute the following:

(c) In addition to the requirements of Subsection (a), and except as provided by this section, a property owners' association shall maintain a copy of the association's books and records, including financial records and invoices, in a building:

(1) staffed during normal business hours;

(2) in which the books and records are appropriately stored; and

(3) that is:

(A) accessible to members of the association during normal business hours; and

(B) located on property commonly owned by the association within the boundaries of the subdivision governed by the association.

(d) Books and records stored in a building described by Subsection (c) shall be made available within three business days of a request by a member of the association.

(e) If a building described by Subsection (c) does not exist on property described by Subsection (c), the property owners' association shall make the books and records available to the requesting party within a reasonable time after the property owners' association receives the request, in accordance with Subsections (f) and (g).

(f) A reasonable time for providing information requested under Subsection (a) is considered to be 10 business days after the date the property owners' association receives a request, except as otherwise provided by this section.

(g) If the property owners' association is unable to produce a requested book or record on or before the 10th business day after the date the information is requested, the property owners' association must provide to the requestor, not later than the 10th business day after the date the property owners' association receives the request, notice that:

(1) informs the requestor that the property owners'

association is unable to produce the information on or before the 10th business day after the date of the request; and

(2) states a date by which the information will be available for inspection that is reasonable in light of:

(A) the nature, age, and quantity of records requested; and

(B) the staffing and other resources available to the property owners' association.

(h) A property owners' association shall make books and records requested under this section available to the requestor in one or more of the following formats, as specified by the requestor:

(1) an electronic format:

(A) delivered to an electronic mail address provided by the requestor; or

(B) delivered in a disc or other standard electronic format:

(i) to the mailing address of the requestor; or

(ii) if the requesting party does not provide a mailing address, to the address of the requestor's property in the subdivision; or

(2) a hard-copy format, with the records being made available for review by the requesting party at a location not farther than 25 miles from the boundary of the subdivision governed by the association.

(2) Redesignate added Section 209.005(d), Property Code (page 1, line 41), as Subsection (i).

(3) In added and redesignated Section 209.005(i), Property Code (page 1, line 42), strike "fails to comply with Subsection (a)," and substitute "fails to comply with this section,".

(4) Following added and redesignated Section 209.005(i), Property Code (page 1, between lines 54 and 55), insert the following:

(j) This section does not require a property owners' association to staff a building described by Subsection (c).

(k) For the purposes of this section, "business day" means a day other than Saturday, Sunday, or a state or federal holiday.