

By: Berman

H.B. No. 257

A BILL TO BE ENTITLED

AN ACT

relating to extension or modification of restrictive covenants in certain residential real estate subdivisions.

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

SECTION 1. Section 210.001(4), Property Code, is amended to read as follows:

(4) "Residential real estate subdivision" or "subdivision" has the meaning assigned by Section 201.003, except that the subdivision need not be located in a city, town, or village or within the extraterritorial jurisdiction of a city, town, or village.

SECTION 2. Section 210.002, Property Code, is amended to read as follows:

Sec. 210.002. APPLICABILITY OF CHAPTER. This chapter applies to a residential real estate subdivision that is located in a county with a population of:

(1) more than 170,000 and less than 250,000 [~~175,000~~];

or

(2) more than 45,000 and less than 75,000 that is adjacent to a county with a population of more than 170,000 and less than 250,000 [~~175,000~~].

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.