

By: Coleman

H.B. No. 3025

A BILL TO BE ENTITLED

AN ACT

relating to regulation by a property owners' association of certain religious displays.

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

SECTION 1. Chapter 202, Property Code, is amended by adding Section 202.018 to read as follows:

Sec. 202.018. REGULATION OF DISPLAY OF CERTAIN RELIGIOUS ITEMS. (a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner or resident from displaying or affixing on the entry to the owner's or resident's dwelling one or more religious items required to be displayed by a tenet of the owner's or resident's religion, including a mezuzah.

(b) This section does not prohibit the enforcement or adoption of a covenant that prohibits the display or affixing of a religious item on the entry to the owner's dwelling that:

- (1) threatens the public health or safety;
- (2) violates a law; or
- (3) contains language, graphics, or any display that would be offensive to the ordinary person.

(c) A property owners' association may remove an item displayed in violation of a restrictive covenant permitted by this section.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2009.