

1-1 By: Coleman, Leibowitz, Naishtat H.B. No. 3025
1-2 (Senate Sponsor - Shapiro)
1-3 (In the Senate - Received from the House April 29, 2009;
1-4 May 4, 2009, read first time and referred to Committee on
1-5 Intergovernmental Relations; May 25, 2009, reported adversely,
1-6 with favorable Committee Substitute by the following vote: Yeas 5,
1-7 Nays 0; May 25, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 3025 By: Wentworth

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to regulation by a property owners' association of certain
1-12 religious displays.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Chapter 202, Property Code, is amended by adding
1-15 Section 202.018 to read as follows:

1-16 Sec. 202.018. REGULATION OF DISPLAY OF CERTAIN RELIGIOUS
1-17 ITEMS. (a) Except as otherwise provided by this section, a
1-18 property owners' association may not enforce or adopt a restrictive
1-19 covenant that prohibits a property owner or resident from
1-20 displaying or affixing on the entry to the owner's or resident's
1-21 dwelling one or more religious items that are expected to be
1-22 displayed by a tenet of the owner's or resident's religion.

1-23 (b) This section does not prohibit the enforcement or
1-24 adoption of a covenant that, to the extent allowed by the
1-25 constitution of this state and the United States, prohibits the
1-26 display or affixing of a religious item on the entry to the owner's
1-27 or resident's dwelling that:

1-28 (1) threatens the public health or safety;

1-29 (2) violates a law;

1-30 (3) contains language, graphics, or any display that

1-31 is patently offensive to a passerby;
1-32 (4) is in a location other than the entry door or door
1-33 frame or extends past the outer edge of the door frame of the
1-34 owner's or resident's dwelling; or

1-35 (5) individually or in combination with each other
1-36 religious item displayed or affixed on the entry door or door frame
1-37 has a total size of greater than 25 square inches.

1-38 (c) Except as otherwise provided by this section, this
1-39 section does not authorize an owner or resident to use a material or
1-40 color for an entry door or door frame of the owner's or resident's
1-41 dwelling or make an alteration to the entry door or door frame that
1-42 is not authorized by the restrictive covenants governing the
1-43 dwelling.

1-44 (d) A property owners' association may remove an item
1-45 displayed in violation of a restrictive covenant permitted by this
1-46 section.

1-47 SECTION 2. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect September 1, 2009.

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