

By: Hegar

S.B. No. 2481

A BILL TO BE ENTITLED

AN ACT

relating to certain fees for future transfer of real property.

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

SECTION 1. Subsection (c), Section 5.017, Property Code, is amended to read as follows:

(c) This section does not apply to a deed restriction or other covenant running with the land that requires a fee associated with the conveyance of property ~~[in a subdivision]~~ that is payable:

(1) to:

(A) ~~[(1)]~~ a property owners' association that manages or regulates the subdivision or the association's managing agent if the subdivision contains more than one platted lot;

(B) ~~[(2)]~~ an entity organized under Section 501(c)(3), Internal Revenue Code of 1986; ~~or~~

(C) ~~[(3)]~~ a governmental entity; or

(D) an entity other than a property owners' association that operates a golf course and country club in or adjacent to the subdivision if property owners in the subdivision are required by deed restriction to obtain and maintain a membership in the golf course and country club; or

(2) for the benefit or in consideration of a conservation easement created under Chapter 183, Natural Resources Code, located in a county with a population of at least 500,000 and not more than one million.

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