

Amend CSSB 142 (house committee printing) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1101.151(a), Occupations Code, is amended to read as follows:

(a) The commission shall:

(1) administer this chapter and Chapter 1102;

(2) adopt rules and establish standards relating to permissible forms of advertising by a license holder acting as a residential rental locator;

(3) maintain a registry of certificate holders; ~~and~~

(4) design and adopt a seal; and

(5) administer Sections 82.1031, 82.1032, 209.0041, and 209.0042, Property Code.

SECTION _____. Section 1101.152, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) The commission shall adopt rules to set and collect fees in amounts reasonable and necessary to cover the costs of administering the filing of an application for registration under Sections 82.1031 and 209.0041, Property Code, and a renewal of registration under Sections 82.1032 and 209.0042, Property Code.

SECTION _____. Section 82.003(a), Property Code, is amended by adding Subdivision (4-a) to read as follows:

(4-a) "Commission" means the Texas Real Estate Commission.

SECTION _____. Subchapter C, Chapter 82, Property Code, is amended by adding Sections 82.1031, 82.1032, and 82.1033 to read as follows:

Sec. 82.1031. BOARD REGISTRATION REQUIRED. (a) A board of a unit owners' association may not act on behalf of the association unless the board is registered with the commission as provided by this section.

(b) An application for registration must contain:

(1) the information required to be included in a management certificate under Section 82.116; and

(2) any other information required by the commission by rule.

(c) An applicant shall promptly supplement or amend an application to report any material mistake or omission or any actual or expected change in any document or information contained in the application.

(d) The application must be sworn to and accompanied by an initial registration fee in an amount set by the commission by rule as provided by Section 1101.152(d), Occupations Code.

Sec. 82.1032. RENEWAL OF REGISTRATION. A unit owners' association board must renew the board's registration annually by filing a report with the commissioner. The report must:

(1) be in a form prescribed by the commission by rule;
and

(2) be accompanied by a renewal fee in an amount set by the commission by rule as provided by Section 1101.152(d), Occupations Code.

Sec. 82.1033. EXEMPTION. Sections 82.1031 and 82.1032 do not apply to a unit owners' association that consists of 15 or fewer units.

SECTION _____. Section 209.002, Property Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a) "Commission" means the Texas Real Estate Commission.

SECTION _____. Chapter 209, Property Code, is amended by adding Sections 209.0041, 209.0042, and 209.0043 to read as follows:

Sec. 209.0041. BOARD REGISTRATION REQUIRED. (a) A board of a property owners' association may not act on behalf of the association unless the board is registered with the commission as provided by this section.

(b) An application for registration must contain:

(1) the information required to be included in a management certificate under Section 209.004; and

(2) any other information required by the commission by rule.

(c) An applicant shall promptly supplement or amend an application to report any material mistake or omission or any actual or expected change in any document or information contained

in the application.

(d) The application must be sworn to and accompanied by an initial registration fee in an amount set by the commission by rule as provided by Section 1101.152(d), Occupations Code.

Sec. 209.0042. RENEWAL OF REGISTRATION. A property owners' association board must renew the board's registration annually by filing a report with the commissioner. The report must:

(1) be in a form prescribed by the commission by rule;
and

(2) be accompanied by a renewal fee in an amount set by the commission by rule as provided by Section 1101.152(d), Occupations Code.

Sec. 209.0043. EXEMPTION. Sections 209.0041 and 209.0042 do not apply to a property owners' association that consists of 15 or fewer lots or units.

SECTION _____. (a) Sections 82.1031, 82.1032, 82.1033, 209.0041, 209.0042, and 209.0043, Property Code, as added by this Act, apply to a unit owners' association or property owners' association regardless of whether the unit owners' association or property owners' association was created before, on, or after the effective date of this Act.

(b) The changes in law made by this Act apply to a unit owners' association or property owners' association beginning January 1, 2012.

(c) Not later than December 1, 2011, the Texas Real Estate Commission shall adopt rules necessary to implement Sections 82.1031, 82.1032, 82.1033, 209.0041, 209.0042, and 209.0043, Property Code, as added by this Act.