

By: Veasey

H.B. No. 2253

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting property owners' associations from requiring property owners to use specified contractors for property alteration, maintenance, or repair.

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

SECTION 1. Chapter 202, Property Code, is amended by adding Section 202.010 to read as follows:

Sec. 202.010. SELECTION OF CONTRACTORS FOR PROPERTY ALTERATION, MAINTENANCE, AND REPAIR. (a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that requires a property owner to use a contractor selected by the property owners' association when contracting for alteration, maintenance, or repair of the property owner's property.

(b) This section does not prohibit enforcement or adoption of a restrictive covenant that allows the property owners' association to designate a specific contractor to:

(1) alter, maintain, or repair property that the property owners' association is required to maintain; or

(2) provide services to or for the benefit of all members of the property owners' association.

SECTION 2. 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, 2011.