

Suspending limitations on conference committee
jurisdiction, H.B. No. 362

By: West

S.R. No. 1253

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 82nd Legislature, Regular Session, 2011, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 362 (regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property) to consider and take action on the following matters:

(1) Senate Rule 12.03(3) is suspended to permit the committee, in SECTION 1 of the bill, in added Section 202.010(a), Property Code, to add text on a matter which is not in disagreement to read as follows:

(1) "Development period" means a period stated in a declaration during which a declarant reserves:

(A) a right to facilitate the development, construction, and marketing of the subdivision; and

(B) a right to direct the size, shape, and composition of the subdivision.

(2) Senate Rule 12.03(3) is suspended to permit the committee, in SECTION 1 of the bill, in added Section 202.010, Property Code, to add text on a matter which is not in disagreement to read as follows:

(f) During the development period, the declarant may prohibit or restrict a property owner from installing a solar energy device.

(3) Senate Rule 12.03(1) is suspended to permit the committee, in SECTION 1 of the bill, in added Section 202.011(1), Property Code, to change text on a matter which is not in disagreement to read as follows:

(1) are designed primarily to:

(A) be wind and hail resistant;

(B) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or

(C) provide solar generation capabilities;

and

Explanation: These changes are necessary to:

(1) clarify the application of provisions relating to the regulation of solar energy devices by property owners' associations; and

(2) modify the authority granted to property owners' associations relating to the installation of certain roofing materials.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 29, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate