

BILL ANALYSIS

H.B. 3176
By: Bohac
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a vacancy on the board of a property owners' association can be filled by appointment only if the vacancy occurred because of resignation, death, or disability. Interested parties express concern that this limitation means that if a board seat is vacant because there was no candidate to fill it at the time of election, that spot cannot be filled until the term for that seat is up, which can result in homeowners being unrepresented for lengthy periods of time. H.B. 3176 seeks to prevent such a situation by allowing property owners' associations to appoint a board member to fill any vacancy.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3176 amends Section 209.00593(a), Property Code, as added by Chapter 1026 (H.B. 2761), Acts of the 82nd Legislature, Regular Session, 2011, to authorize the appointment of a board member of a property owners' association to fill any vacancy on the association's board, rather than only a vacancy caused by a resignation, death, or disability.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.