

By: Bohac

H.B. No. 3176

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the appointment of a board member of a property owners'
3 association to fill a vacancy.

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

5 SECTION 1. Section 209.00593(a), Property Code, as added by
6 Chapter 1026 (H.B. 2761), Acts of the 82nd Legislature, Regular
7 Session, 2011, is amended to read as follows:

8 (a) Notwithstanding any provision in a dedicatory
9 instrument, any board member whose term has expired must be elected
10 by owners who are members of the property owners' association. A
11 board member may be appointed by the board [~~only~~] to fill a vacancy
12 on the board [~~caused by a resignation, death, or disability~~]. A
13 board member appointed to fill a vacant position shall serve for the
14 remainder of the unexpired term of the position [~~predecessor board~~
15 ~~member~~].

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2013.