

BILL ANALYSIS

H.B. 1072
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recently enacted legislation made a property owners' association board member immediately ineligible to serve on, automatically considered removed from, and prohibited from future service on the board for a prior conviction of a felony or crime involving moral turpitude. Interested parties explain that a home may be the greatest asset that a person will ever purchase and contend that a property owner should have the right to protect this investment. The parties suggest that creating a permanent bar against a property owner's ability to participate in the community is excessive, especially if the property owner has not been convicted of a felony or crime involving moral turpitude within the last 20 years. H.B. 1072 seeks to address this issue by revising the related eligibility requirement for serving on a property owners' association board.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 1072 amends the Property Code to condition the statutory provision making a property owners' association board member immediately ineligible to serve on, automatically considered removed from, and prohibited from future service on the board for a prior conviction of a felony or crime involving moral turpitude on the conviction occurring not more than 20 years before the date the board is presented with the evidence of the conviction.

EFFECTIVE DATE

September 1, 2015.