

By: Kolkhorst

S.B. No. 1542

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that a condominium receive prior approval from a county prior to its creation.

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

SECTION 1. Section 82.051, Property Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) Except as provided by Subsection (d-1), a [A] county clerk shall, without prior approval from any other authority, record declarations and amendments to declarations in the real property records and record condominium plats or plans in the real property records or in books maintained for that purpose. If a county clerk maintains a book for the condominium plat records, the book shall be the same size and type as the book for recording subdivision plats.

(d-1) Notwithstanding the requirements of Subsection (d), a county may require a county clerk to receive prior approval from the county before a condominium may be created under this chapter.

SECTION 2. The changes in law made by this Act apply to the creation of a condominium that occurs on or after the effective date of this Act. The creation of a condominium that occurs before the effective date of this Act is governed by the law in effect on the date the condominium was created, and the former law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2017.