

1-1 By: Bohac (Senate Sponsor - Whitmire) H.B. No. 1025  
 1-2 (In the Senate - Received from the House May 6, 2019;  
 1-3 May 7, 2019, read first time and referred to Committee on Business  
 1-4 & Commerce; May 20, 2019, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 May 20, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1025 By: Whitmire

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to membership on and the eligibility of certain persons to  
 1-22 serve on the board of certain property owners' associations.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 209.00591, Property Code, is amended by  
 1-25 adding Subsections (a-2) and (a-3) to read as follows:

1-26 (a-2) Notwithstanding any other provision of this chapter,  
 1-27 a property owners' association that governs a subdivision comprised  
 1-28 of multiple sections may designate in an association instrument  
 1-29 governing the administration or operation of the association a  
 1-30 specified number of positions on the board, each of which must be  
 1-31 elected from a designated section of the subdivision. The  
 1-32 instrument may require each board member representing a section to  
 1-33 reside in that section.

1-34 (a-3) A person may not serve on the board of a property  
 1-35 owners' association if the person cohabits at the same primary  
 1-36 residence with another board member of the association. This  
 1-37 subsection does not apply:

1-38 (1) to an association with fewer than 10 residences;  
 1-39 or

1-40 (2) during a subdivision's development period to  
 1-41 affect the eligibility to serve on the board of:

1-42 (A) a person who cohabits with a developer of the  
 1-43 subdivision regulated by the association; or

1-44 (B) the developer.

1-45 SECTION 2. Section 209.00591(a-3), Property Code, as added  
 1-46 by this Act:

1-47 (1) does not affect the entitlement of a member  
 1-48 serving on the board of a property owners' association immediately  
 1-49 before the effective date of this Act to continue to carry out the  
 1-50 board's functions for the remainder of the member's term; and

1-51 (2) applies only to a member elected on or after the  
 1-52 effective date of this Act.

1-53 SECTION 3. (a) Except as provided by Subsection (b) of this  
 1-54 section, this Act takes effect September 1, 2019.

1-55 (b) Section 209.00591(a-3), Property Code, as added by this  
 1-56 Act, takes effect immediately if this Act receives a vote of  
 1-57 two-thirds of all the members elected to each house, as provided by  
 1-58 Section 39, Article III, Texas Constitution. If this Act does not  
 1-59 receive the vote necessary for immediate effect, Section  
 1-60 209.00591(a-3), Property Code, as added by this Act, takes effect  
 1-61 September 1, 2019.

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