

By: Harless

H.B. No. 1396

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain persons to serve on the board of a property owners' association.

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

SECTION 1. Section 209.00591, Property Code, is amended by adding Subsection (a-2) to read as follows:

(a-2) A person may not serve on the board of a property owners' association if the person cohabits at the same primary residence with another board member of the association. This subsection does not apply:

(1) to an association with fewer than 10 residences;

or

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

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

(B) the developer.

SECTION 2. The change in law made by this Act does not affect the entitlement of a member serving on the board of a property owners' association immediately before the effective date of this Act to continue to carry out the board's functions for the remainder of the member's term. The change in law applies only to a member elected on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2019.