

AN ACT

relating to requirements for condominium plats or plans.

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

SECTION 1. Sections 82.059(b) and (d), Property Code, are amended to read as follows:

(b) Each plat must show:

(1) the name and a survey or general schematic map of the entire condominium;

(2) the location and dimensions of all real property not subject to development rights, or subject only to the development right to withdraw, and the location and dimensions of all existing improvements within that real property;

(3) a legally sufficient description of any real property subject to development rights, labeled to identify the rights applicable to each parcel;

(4) the extent of any encroachments by or on any portion of the condominium;

(5) to the extent feasible, a legally sufficient description of all easements serving or burdening any portion of the condominium, and the location of any underground utility line that is actually known by the declarant at the time of filing the declaration to have been constructed outside a recorded easement;

(6) the location and dimensions of any vertical unit boundaries not shown or projected on recorded plans and the unit's

1 identifying number;

2 (7) the location of horizontal unit boundaries, if  
3 any, with reference to established data, unless described in the  
4 declaration or [~~of any horizontal unit boundaries not~~] shown or  
5 projected on recorded plans, and the unit's identifying number;

6 (8) a legally sufficient description of any real  
7 property in which the unit owners will own only an estate for years,  
8 labeled as "leasehold real property";

9 (9) the distance between noncontiguous parcels of real  
10 property constituting the condominium;

11 (10) the location and dimensions of limited common  
12 elements, other than those described by Sections 82.052(2) and (4);

13 (11) in the case of real property not subject to  
14 development rights, all other matters required by law on land  
15 surveys; and

16 (12) the distance and bearings locating each building  
17 from all other buildings and from at least one boundary line of the  
18 real property constituting the condominium.

19 (d) To the extent not shown on the plats, plans must show:

20 (1) the location and dimensions of the vertical  
21 boundaries of each unit, and the unit's identifying number;

22 (2) the horizontal unit boundaries, if any, with  
23 reference to established data, unless described in the declaration,  
24 and the unit's identifying number; and

25 (3) any units, appropriately identified, in which the  
26 declarant has reserved the right to create additional units or  
27 common elements.

1           SECTION 2. The changes in law made by this Act apply only to  
2 a declaration, plat, or plan of a condominium for which the  
3 declaration was recorded on or after the effective date of this Act.  
4 A declaration, plat, or plan of a condominium for which the  
5 declaration was recorded before the effective date of this Act is  
6 governed by the law in effect immediately before the effective date  
7 of this Act, and that law is continued in effect for that purpose.

8           SECTION 3. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2569 was passed by the House on May 3, 2019, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2569 was passed by the Senate on May 22, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor