

**House Bill 1025**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

(a-3) An owner of property in the property owners' association may not be a candidate for membership on the board of the property owners' association if:

(1) an enforcement action is pending against the property owner; or

(2) the property owner owes the association a delinquent assessment, fee, or fine.

No equivalent provision.

SENATE VERSION (CS)

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

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

(a-3) 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. Section 209.00591(a-3), Property Code, as added by this Act:

CONFERENCE

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HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

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

SECTION 2. This Act takes effect September 1, 2019.

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

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