

BILL ANALYSIS

C.S.H.B. 2447
By: Davis
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that homeowners need remedies against abusive practices and overreach by some property owners' associations. C.S.H.B. 2447 seeks to provide this additional remedy by authorizing a property owner to bring an action against the owner's property owners' association for a violation of the Texas Residential Property Owners Protection Act in a justice court.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2447 amends the Property Code to authorize the owner of property in a subdivision to bring an action for a violation of the Texas Residential Property Owners Protection Act against the subdivision's property owners' association in the justice court of a precinct in which all or part of the subdivision is located.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2447 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits the original's provisions providing for the recall of a member of property owners' association's board of directors.