

## **BILL ANALYSIS**

C.S.H.B. 3571  
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Business & Industry  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Property owners' associations are a desirable and sometimes necessary amenity to homeownership. However, even well-intentioned property owners' associations can lose sight of the rights of the private property owners they exist to represent. As technology continues to advance and evolve, more and more homeowners are utilizing security devices, oftentimes to protect areas of their property with a poor line of sight. Unfortunately, there are reports of some property owners' associations preventing property owners from installing security measures such as fences, motion detectors, and security cameras. C.S.H.B. 3571 seeks to ensure that Texans are able to adequately protect their homes by prohibiting a property owners' association from preventing a property owner from building or installing security measures.

### **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. 3571 amends the Property Code to prohibit a property owners' association from adopting or enforcing a restrictive covenant that prevents a property owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence. A property owners' association may still regulate the type of fencing that a property owner may install.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3571 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 differs from the original by clarifying that the types of security measures to which its provisions apply are not limited to those specified.