87R7633 DRS-D

By:  Shaheen H.B. No. 2076

A BILL TO BE ENTITLED

AN ACT

relating to the filing of property owners' association fine policies with a municipality.

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

SECTION 1.  Subchapter Z, Chapter 212, Local Government Code, is amended by adding Section 212.906 to read as follows:

Sec. 212.906.  PROPERTY OWNERS' ASSOCIATION FINE POLICY. (a) In this section, "property owners' association" has the meaning assigned by Section 209.002, Property Code.

(b)  A municipality in which a subdivision with a property owners' association is located shall require the association to file with the municipality a copy of the policy, and each subsequent amendment to the policy, regarding the enforcement of fines assessed by the association. The policy must disclose:

(1)  each type of violation for which the board of the association may assess a fine;

(2)  the amount of the fine for each type of violation; and

(3)  pertinent information regarding hearings described by Section 209.007, Property Code.

(c)  A municipality in which a subdivision with a property owners' association is located shall require the association to provide a copy of the policy to an owner of each property in the subdivision by:

(1)  posting the policy on an Internet website maintained by the association; or

(2)  annually sending a copy of the policy, separately or included in routine communication from the association, to each property owner, by:

(A)  hand delivery to the owner;

(B)  first class mail to the owner's last known mailing address; or

(C)  e-mail to an e-mail address provided to the association by the owner.

SECTION 2.  This Act takes effect September 1, 2021.