

SENATE AMENDMENTS

2nd Printing

By: Murphy

H.B. No. 1659

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the amendment of a residential subdivision's
3 declaration to affect certain types of property located in the
4 subdivision.

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

6 SECTION 1. Section 209.0041, Property Code, is amended by
7 adding Subsection (d-1) to read as follows:

8 (d-1) This section does not apply to an amendment of a
9 declaration if the amendment would affect a portion of a
10 subdivision that is zoned for or that contains a commercial
11 structure, an industrial structure, an apartment complex, or a
12 condominium as defined by Section 81.002 or 82.003. For purposes of
13 this subsection, "apartment complex" means two or more dwellings in
14 one or more buildings that are owned by the same owner, located on
15 the same lot or tract, and managed by the same owner, agent, or
16 management company.

17 SECTION 2. Section 209.0041(d-1), Property Code, as added
18 by this Act, applies only to a vote to amend a declaration held on or
19 after the effective date of this Act. A vote to amend a declaration
20 held before the effective date of this Act is governed by the law as
21 it existed immediately before that date, and that law is continued
22 in effect for that purpose.

23 SECTION 3. This Act takes effect September 1, 2021.

ADOPTED

MAY 27 2021

Letsy Law
Secretary of the Senate

By: Murphy / Creighton

H.B. No. 1659

Substitute the following for ___B. No. _____:

By: Kelly Harmon

C.S.H.B. No. 1659

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4 subdivision.

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6 SECTION 1. Section 209.0041, Property Code, is amended by
7 adding Subsection (d-1) to read as follows:

8 (d-1) This section does not apply to an amendment of a
9 declaration if the amendment would affect a portion of a
10 subdivision that is zoned for or that contains, or previously
11 contained as specifically allowed under the declaration, a
12 commercial structure, an industrial structure, an apartment
13 complex, or a condominium as defined by Section 81.002 or 82.003.
14 For purposes of this subsection, "apartment complex" means two or
15 more dwellings in one or more buildings that are owned by the same
16 owner, located on the same lot or tract, and managed by the same
17 owner, agent, or management company.

18 SECTION 2. Section 209.0041(d-1), Property Code, as added
19 by this Act, applies only to a vote to amend a declaration held on or
20 after the effective date of this Act. A vote to amend a declaration
21 held before the effective date of this Act is governed by the law as
22 it existed immediately before that date, and that law is continued
23 in effect for that purpose.

24 SECTION 3. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2021.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 27, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1659 by Murphy (Relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

Source Agencies:

LBB Staff: JMc, SD, SZ, CMA, DPE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 21, 2021

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB1659** by Murphy (relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, CMA, DPE

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 17, 2021

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1659 by Murphy (Relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, DPE, CMA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 4, 2021

TO: Honorable Chris Turner, Chair, House Committee on Business & Industry

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1659 by Murphy (Relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, CMA, DPE