

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Bonnen, et al.

H.B. No. 3571

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the regulation of security measures by a property  
3 owners' association.

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

5 SECTION 1. Chapter 202, Property Code, is amended by adding  
6 Section 202.023 to read as follows:

7 Sec. 202.023. SECURITY MEASURES. (a) Except as provided by  
8 Subsection (b), a property owners' association may not adopt or  
9 enforce a restrictive covenant that prevents a property owner from  
10 building or installing security measures, including but not limited  
11 to a security camera, motion detector, or perimeter fence.

12 (b) This section does not prohibit a property owners'  
13 association from regulating the type of fencing that a property  
14 owner may install.

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

ADOPTED

MAY 24 2021

By: [Signature]

[Signature]  
Secretary of the Senate

H.B. No. 3571

Substitute the following for \_\_\_B. No. \_\_\_\_\_:

By: [Signature]

C.S. \_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

1

2 relating to the regulation of security measures by certain property  
3 owners' associations.

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

5 SECTION 1. Chapter 202, Property Code, is amended by adding  
6 Section 202.023 to read as follows:

7 Sec. 202.023. SECURITY MEASURES. (a) This section does not  
8 apply to a master mixed-use property owners' association subject to  
9 Chapter 215.

10 (b) Except as provided by Subsection (c), a property owners'  
11 association may not adopt or enforce a restrictive covenant that  
12 prevents a property owner from building or installing security  
13 measures, including but not limited to a security camera, motion  
14 detector, or perimeter fence.

15 (c) This section does not prohibit a property owners'  
16 association from regulating the type of fencing that a property  
17 owner may install.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2021.

ADOPTED

MAY 24 2021

FLOOR AMENDMENT NO. 1

BY:

*Lately Shaw*  
Secretary of the Senate



1 Amend C.S.H.B. No. 3571 (senate committee report) in SECTION  
2 1 of the bill as follows:

3 (1) Strike added Section 202.023(a), Property Code (page 1,  
4 lines 27-29), and substitute the following:

5 (a) This section does not apply to:

6 (1) a condominium as defined by Section 81.002 or  
7 82.003; or

8 (2) a master mixed-use property owners' association  
9 subject to Chapter 215.

10 (1) Strike added Section 202.023(c), Property Code (page 1,  
11 lines 35-37), and substitute the following:

12 (c) This section does not prohibit a property owners'  
13 association from:

14 (1) prohibiting the installation of a security camera  
15 by a property owner in a place other than the property owner's  
16 private property; or

17 (2) regulating the type of fencing that a property owner  
18 may install.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 26, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3571** by Bonnen (Relating to the regulation of security measures by certain property owners' associations.), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

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

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 20, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** HB3571 by Bonnen (relating to the regulation of security measures by certain property owners' associations.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

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

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 14, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3571** by Bonnen (Relating to the regulation of security measures by a property owners' association.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**Revision 1**

**April 14, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3571** by Bonnen (relating to the regulation of security measures by a property owners' association.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 8, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3571** by Bonnen (relating to the regulation of security measures by a property owners' association.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

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



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 1, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB3571** by Bonnen (Relating to the regulation of security measures by a property owners' association.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SZ, SD