

BILL ANALYSIS

Senate Research Center
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H.B. 621
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Property owners' associations (POA) attempt to maintain certain standards within the boundaries of the POA for uniformity across their community. These associations may regulate exterior paint color, lawn care standards, and various other relatively benign requirements to maintain a cohesive look for the entirety of the neighborhood. However, the bill author has informed the committee that Texans have reported POAs preventing certain political candidates or public officials who may have different political views than POA leadership from being hosted by a resident in common areas owned and operated by the POA. As these spaces are paid for by POA dues paid by residents, the residents should have some authority with respect to hosting individuals within the communal spaces of the POA they helped fund. H.B. 621 seeks to address this issue by prohibiting a POA from preventing residents from inviting government officials or qualified candidates to use common areas of the association.

H.B. 621 amends current law relating to the authority of a property owners' association to regulate the assembly, association, and speech of property owners or residents related to governmental officials or candidates for political office.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 202, Property Code, by adding Section 202.013, as follows:

Sec. 202.013. REGULATION OF ASSEMBLY, ASSOCIATION, AND SPEECH. (a) Provides that this section does not apply to a common area of a property owners' association that is not made available for meetings due to designated seasonal use or other than a meeting of the property owners' association, the board of the property owners' association, or a committee of the association or the association's board.

(b) Prohibits a property owners' association, except as otherwise provided by this section, from adopting or enforcing a provision in a dedicatory instrument that prohibits or has the effect of prohibiting a property owner or resident from inviting governmental officials and candidates who have been qualified in the appropriate election to run for public governmental office to address or meet with property owners' association members, residents, or their invitees in common areas of the association.

(c) Authorizes a property owners' association to require gatherings described by Subsection (b) to abide by the same provisions of a dedicatory instrument that apply to any other gathering held in a common area of the association, including certain provisions.

(d) Provides that this section does not apply to a property owners' association that qualifies for tax exempt status under Section 501(c)(3), Internal Revenue Code of 1986.

SECTION 2. Effective date: September 1, 2025.