

By: Oliverson

H.B. No. 4812

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to regulate condominiums.

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

SECTION 1. Section 82.006, Property Code, is amended to read as follows:

Sec. 82.006. APPLICABILITY OF LOCAL ORDINANCES, REGULATIONS, AND BUILDING CODES. (a) A zoning, subdivision, building code, or other real property use law, ordinance, or regulation may not prohibit the condominium form of ownership or impose any requirement on a condominium that it would not impose on a physically identical development under a different form of ownership. Except as provided by this section ~~[Otherwise]~~, this chapter does not invalidate or modify any provision of any zoning, subdivision, building code, or other real property use law, ordinance, or regulation.

(b) Notwithstanding any other law:

(1) a condominium declaration is not a subdivision of land for purposes of Chapter 212, 232, or 242, Local Government Code; and

(2) a municipality or county may not require the preparation or submission for approval of a subdivision plat in connection with the creation or alteration of a condominium under this chapter.

1 SECTION 2. The change in law made by this Act applies only
2 to a condominium declaration filed for recording on or after the
3 effective date of this Act. A condominium declaration filed for
4 recording before the effective date of this Act is governed by the
5 law as it existed immediately before the effective date of this Act,
6 and that law is continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2025.