

By: Schwertner

S.B. No. 542

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a property owners' association to assess a fine for discolored vegetation or turf during a period of residential watering restriction.

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

SECTION 1. Chapter 202, Property Code, is amended by adding Section 202.008 to read as follows:

Sec. 202.008. LIMITATION ON FINES DURING RESIDENTIAL WATER RESTRICTION. (a) For the purposes of this section, "residential watering restriction" means a temporary restriction of water use to irrigate residential vegetation or turf that is mandated by a municipality, water utility, or other wholesale or retail water supplier as part of a strategy to conserve water during a period of drought.

(b) A property owners' association may not assess a fine against a property owner for a violation of an applicable restrictive covenant that requires the owner to maintain green vegetation or turf or prohibits discolored or brown vegetation or turf on the property:

(1) during a period when the owner's property is subject to a residential watering restriction under which discolored or brown vegetation or turf could reasonably result; and

(2) for a reasonable period of time after a residential watering restriction described by Subdivision (1) is

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1 lifted.

2       SECTION 2.   This Act takes effect September 1, 2025.