

By: Howard of Fort Bend

H.B. No. 893

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the meetings of certain property owners' associations.

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

4 SECTION 1. Section 551.0015, Government Code, is amended by
5 amending Subsection (a) and adding Subsections (c) and (d) to read
6 as follows:

7 (a) Except as provided by this section, a [A] property
8 owners' association is subject to this chapter in the same manner as
9 a governmental body:

10 (1) if:

11 (A) membership in the property owners'
12 association is mandatory for owners or for a defined class of owners
13 of private real property in a residential subdivision [defined
14 geographic area in a county with a population of 2.8 million or more
15 or in a county adjacent to a county with a population of 2.8 million
16 or more]; and

17 (B) the property owners' association has the
18 power to make mandatory special assessments [for capital
19 improvements] or mandatory regular assessments [; and

20 [(C) the amount of the mandatory special or
21 ~~regular assessments is or has ever been based in whole or in part on~~
22 ~~the value at which the state or a local governmental body assesses~~
23 ~~the property for purposes of ad valorem taxation under Section 20,~~
24 ~~Article VIII, Texas Constitution~~]; or

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16 (c) In this section, "property owners' association,"
17 "regular assessment," "residential subdivision," and "special
18 assessment" have the meanings assigned by Section 209.002, Property
19 Code.

20 (d) A property owners' association is not required to
21 conduct an open meeting to discuss or determine employee
22 compensation.

23 SECTION 2. This Act takes effect September 1, 2011.