

BILL ANALYSIS

C.S.H.B. 517
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Trade, Workforce & Economic Development
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In times of drought, cities often impose water restrictions in an attempt to conserve water and may impose fines if homeowners use too much water. However, as discussed by the author and constituents during a town hall, some property owners' associations (POA) require homeowners to keep their lawns green and may impose fines for failing to do so. Under these circumstances, homeowners are faced with a decision to either be fined by the city due to overwatering or be fined by their POA for not keeping their lawns green. C.S.H.B. 517 seeks to address this issue by prohibiting a POA from fining homeowners for discolored vegetation if a city imposes residential water restrictions and by giving homeowners 30 days to restore their lawns once such a restriction is lifted.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 517 amends the Property Code to prohibit a property owners' association (POA) from assessing 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 during the following periods:

- when the owner's property is subject to a residential watering restriction under which discolored or brown vegetation or turf could reasonably result; and
- before the 30th day after the date such a restriction is lifted.

The bill defines "residential watering restriction" as 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.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 517 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes a period during which a POA may not assess a fine against a property owner for discolored vegetation or turf from a reasonable period of time after a residential watering restriction is lifted, as in the introduced, to before the 30th day after the date such a restriction is lifted.