

AN ACT

relating to membership on and the eligibility of certain persons to serve on the board of certain property owners' associations.

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

SECTION 1. Section 209.00591, Property Code, is amended by adding Subsections (a-2) and (a-3) to read as follows:

(a-2) Notwithstanding any other provision of this chapter, a property owners' association that governs a subdivision comprised of multiple sections may designate in an association instrument governing the administration or operation of the association a specified number of positions on the board, each of which must be elected from a designated section of the subdivision. The instrument may require each board member representing a section to reside in that section.

(a-3) A person may not serve on the board of a property owners' association if the person cohabits at the same primary residence with another board member of the association. This subsection does not apply:

(1) to an association with fewer than 10 residences;

or

(2) during a subdivision's development period to affect the eligibility to serve on the board of:

(A) a person who cohabits with a developer of the subdivision regulated by the association; or

1                   (B) the developer.

2           SECTION 2. Section 209.00591(a-3), Property Code, as added  
3 by this Act:

4                   (1) does not affect the entitlement of a member  
5 serving on the board of a property owners' association immediately  
6 before the effective date of this Act to continue to carry out the  
7 board's functions for the remainder of the member's term; and

8                   (2) applies only to a member elected on or after the  
9 effective date of this Act.

10           SECTION 3. (a) Except as provided by Subsection (b) of this  
11 section, this Act takes effect September 1, 2019.

12                   (b) Section 209.00591(a-3), Property Code, as added by this  
13 Act, takes effect immediately if this Act receives a vote of  
14 two-thirds of all the members elected to each house, as provided by  
15 Section 39, Article III, Texas Constitution. If this Act does not  
16 receive the vote necessary for immediate effect, Section  
17 209.00591(a-3), Property Code, as added by this Act, takes effect  
18 September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1025 was passed by the House on May 3, 2019, by the following vote: Yeas 140, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1025 on May 24, 2019, by the following vote: Yeas 134, Nays 7, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1025 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 29, Nays 2.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor