

## **BILL ANALYSIS**

Senate Research Center  
83R10024 NC-D

H.B. 3176  
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Intergovernmental Relations  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law states that to fill a vacancy on the board of a property owners' association the vacancy must have occurred because of resignation, death, or disability. In practice, this means that if a board seat is vacant because there was no candidate to fill it at the time of election, that spot cannot be filled until the term for that seat is up. This can leave open board positions and unrepresented homeowners for lengthy time periods.

H.B. 3176 amends current law to allow property owners' associations to fill vacant spots whenever there is a vacancy.

H.B. 3176 amends current law relating to the appointment of a board member of a property owners' association to fill a vacancy.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 209.00593(a), Property Code, as added by Chapter 1026 (H.B. 2761), Acts of the 82nd Legislature, Regular Session, 2011, as follows:

- (a) Authorizes a governing body of a property owners' association (board) member to be appointed by the board to fill a vacancy on the board, rather than authorizes a board member to be appointed by the board only to fill a vacancy caused by a resignation, death, or disability. Requires a board member appointed to fill a vacant position to serve for the remainder of the unexpired term of the position, rather than requires a board member appointed to fill a vacant position to serve the unexpired term of the predecessor board member.

SECTION 2. Effective date: upon passage or September 1, 2013.