

## **BILL ANALYSIS**

Senate Research Center  
84R6132 LEH-D

H.B. 1072  
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Business & Commerce  
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Engrossed

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

Recently enacted legislation made a property owners' association board member immediately ineligible to serve on, automatically considered removed from, and prohibited from future service on the board for a prior conviction of a felony or crime involving moral turpitude. Interested parties explain that a home may be the greatest asset that a person will ever purchase and contend that a property owner should have the right to protect this investment. The parties suggest that creating a permanent bar against a property owner's ability to participate in the community is excessive, especially if the property owner has not been convicted of a felony or crime involving moral turpitude within the last 20 years. H.B. 1072 seeks to address this issue by revising the related eligibility requirement for serving on a property owners' association board.

H.B. 1072 amends current law relating to the eligibility of certain persons to serve on the board of a property owners' association.

### **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 209.00591(b), Property Code, to provide that, if a board (relating to the governing body of a property owners' association) is presented with written, documented evidence from a database or other record maintained by a governmental law enforcement authority that a board member was convicted of a felony or crime involving moral turpitude not more than 20 years before the date the board is presented with the evidence, rather than has been convicted of a felony or crime involving moral turpitude, the board member is immediately ineligible to serve on the board of the property owners' association, automatically considered removed from the board, and prohibited from future service on the board.

SECTION 2. Effective date: September 1, 2015.