

BILL ANALYSIS

Senate Research Center
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S.B. 1228
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Each year, natural disasters pound residential areas with heavy rains, hail, wind, and other naturally occurring weather-related events. Individual homeowners who are members of a home owners association, before undertaking repairs or alterations to their homes, are required to submit documentation laying out the specific of the repairs or alterations to be made.

S.B. 1228 seeks to rid the homeowner of excess work by removing the requirement that homeowners be required to submit specifications to the home owners association if the repairs they are making would revert the home to the state it was in immediately prior to the naturally occurring or weather-related event in question. It also requires the association to immediately approve the proposed repairs if the repairs would revert the home to the state it was in immediately prior to the event.

S.B. 1228 amends Chapter 209, Property Code, by adding Section 209.018.

As proposed, S.B. 1228 amends current law relating to the approval by a property owners' association of repairs to residential property after a weather-related or naturally occurring event.

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 Chapter 209, Property Code, by adding Section 209.018, as follows:

Sec. 209.018. REPAIRS AFTER NATURALLY OCCURRING EVENT. Requires a property owners' association or, if applicable, an architectural committee established by the association or the association's dedicatory instruments, unless expressly prohibited by a dedicatory instrument, to immediately approve an application to repair damage to a property owner's property caused by a weather-related or other naturally occurring event if the property owner has applied to substantially restore the property to the condition the property was in immediately before the event occurred.

SECTION 2. Effective date: September 1, 2017.