

BILL ANALYSIS

Senate Research Center
87R26185 MWC-F

C.S.H.B. 3571
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Property owners' associations are a desirable and sometimes necessary amenity to homeownership. However, even well-intentioned property owners' associations can lose sight of the rights of the private property owners they exist to represent. As technology continues to advance and evolve, more and more homeowners are utilizing security devices, oftentimes to protect areas of their property with a poor line of sight. Unfortunately, there are reports of some property owners' associations preventing property owners from installing security measures such as fences, motion detectors, and security cameras. The bill seeks to ensure that Texans are able to adequately protect their homes by prohibiting a property owners' association from preventing a property owner from building or installing security measures.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 3571 amends current law relating to the regulation of security measures by certain property owners' associations.

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 202, Property Code, by adding Section 202.023, as follows:

Sec. 202.023. SECURITY MEASURES. (a) Provides that this section does not apply to a master mixed-use property owners' association subject to Chapter 215 (Master Mixed-Use Property Owners' Associations).

(b) Prohibits a property owners' association, except as provided by Subsection (c), from adopting or enforcing a restrictive covenant that prevents a property owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence.

(c) Provides that this section does not prohibit a property owners' association from regulating the type of fencing that a property owner is authorized to install.

SECTION 2. Effective date: upon passage or September 1, 2021.