



2019 End of Session Report

Community Associations Institute (CAI) partners with the Texas Community Association Advocates (TCAA), a volunteer committee consisting of homeowners and professionals serving community associations on our advocacy efforts. CAI members volunteered hundreds of collective hours to review bills, draft testimony, work with lobbyists, meet with legislators and other decision-makers, and testify for and against bills.

The 86th Regular Session of the Texas Legislature ended on Monday, May 27th.

Bills that Passed

A few bills passed this session that directly impact homeowners and associations in Texas, including:

- [HB 234](#) by Rep. Matt Krause, which prohibits community associations from regulating the sale of lemonade or similar beverages by children on property located in the subdivision if the child has permission of a property owner to be there. There are also similar provisions in the bill that apply to local government regulations of lemonade stands. CAI and our advocacy partner, TCAA was successful in amending the bill to require permission by a property owner and to limit a property owners' association's liability for any injury or activity related to such sales.
- [HB 302](#) by Rep. Dennis Paul provides a defense for owners, tenants, and guests carrying, storing, or possessing a firearm or ammunition in apartments or condominiums.
- [HB 1025](#) by Rep. Dwayne Bohac deals with candidacy for and membership on the board of certain community associations. Additionally, the bill was amended to add the text of [HB 1396](#) by Rep. Sam Harless, which limits board eligibility in relation to cohabitation at the same primary residence, so that only one director is permitted per primary residence. Sen. Schwerter and Sen. Whitmire assisted with these bills in the Senate to ensure that our preferred language was in the final version.
- [HB 2554](#) by Rep. John Bucy streamlines and reorganizes statutes related to the ability of community associations to regulate the display of political signs.

Bills that Failed

Many bills were tracked and analyzed by the CAI and the TCAA legislative team that did not become law before the end of the legislative session. On many of these bills, we worked with the bill authors to find compromise language, and yet the bills did not make it out of the Legislature, including:

- [HB 660](#) by Rep. Matt Shaheen addressed the assessment of fines by community associations by requiring that associations must adopt and record a fining policy that establishes reasonable fine amounts for each type of violation and provide a copy of that policy annually to its members.
- [HB 1737](#) by Rep. Justin Holland relates to the statutes of limitation and repose for certain claims involving the construction or repair of an improvement to real property or equipment attached to real property, compressing the timeframe available for such claims from 10 years to 8 years.
- [HB 2302](#) by Rep. Greg Bonnen, which addressed the issue of when a property owners' association may regulate religious displays at a residence.

- [HB 2596](#) by Rep. James White (and its companion [SB 86](#) by Sen. Bob Hall) related to the ability of a local government or community association to prohibit an individual from raising or keeping six or fewer chickens at their single-family residential lot, and also override any similar community association restrictive covenant.
- [HB 3445](#) by Rep. Tracy King shortened the timeframe for an association board to transition from developer-controlled to resident-controlled, and also required board meetings of certain associations to be held within 10 miles of the subdivision.
- [HB 3498](#) by Rep. Dustin Burrows made multiple changes to the laws governing mechanic's, contractor's, or materialman's liens.
- [HB 589](#) by Rep. Joe Deshotel also addressed mechanic's, contractor's, and materialman's liens, and extended to condominium unit owners the liability of a condominium association's failure to pay a contractor.
- [HB 3778](#) and [HB 4176](#) by Rep. Angie Chen Button addressed the ability of municipalities and community associations, respectively, to regulate short-term rentals.
- [SB 639](#) by Sen. Joan Huffman was a wide-ranging bill addressing the operation and management of condominium unit owners' associations, including issues related to the meetings, records, and elections of those groups.

Contact your Legislators

The legislative session has ended, but you should still contact your local representatives throughout the year and ahead of the 2021 session to share your concerns and opinions. Here's how to contact your state legislators: <https://p2a.co/TWdHyve>

For more information on CAI and TCAA's activities and community association legislation in Texas, visit www.caionline.org/Texas.

Your Assistance is Needed

CAI uses professional, paid lobbyists as a vital and integral part of the legislative process. As volunteers, CAI and TCAA members significantly rely on this highly effective professional representation. To help fund advocacy activities in 2019 and beyond, donations are vital to our continued successes. We encourage donations from Texas community associations and individuals. Please visit www.caionline.org/lacdonate/ and donate to "Texas" to support our continued efforts.

Texas Contact Information

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