



CAI Texas/TCAA LEGISLATIVE SESSION UPDATE

TCAA Minute – May 17, 2021

Community Association Legislation

Only a couple of weeks remain in the Texas legislative session; Thursday was the last day for the Texas House to approve most House bills, and May 26th is the deadline for the Senate to pass all bills. The CAI-TCAA team is focused on stopping or improving a few remaining bills at the Texas capitol that could negatively impact community associations and their volunteers.

The most harmful bill is SB 1588 by Sen. Bryan Hughes and Rep. Chris Turner. CAI-TCAA has serious concerns that this legislation will increase liability for association volunteers, raise costs for homeowners, and greatly increase unwanted intervention by attorneys and government officials. Supporters of property owners' associations helped kill the companion bill, HB 3677, and we must keep up the pressure in these final days of the legislative session to stop SB 1588.

It is absolutely critical that you contact your state legislator and each member of the House Calendars Committee, which will decide when and if this bill is considered on the House floor.

** Click [HERE](#) to find the members of the House Calendars Committee

** Click [HERE](#) to find your representative in the Texas House

SB 1588 makes substantial and unwarranted changes to multiple provisions of the Texas Property Code relevant to property owners' associations, including restricted service on association committees, changes to fees related to resale certificates, new requirements for association websites and publicly available documents, new requirements for management certificates and liens, and more regulation of association hearings.

In short, this bill is an ill-advised government overreach pushed by the powerful Texas Realtors group, their large team of lobbyists, and their well-funded Political Action Committee that spends millions of campaign dollars across the state.

Other bills being tracked by CAI-TCAA include:

SB 581 (Bettencourt/Schofield) outlines the extent to which a property owner's association may restrict some displays of religious items at a residence. The bill provides a property owners' association with only minimal ability to regulate such displays. Though CAI-TCAA continues to have concerns that the bill will allow offensive or problematic yard displays, our advocates were able to amend the bill to include some restrictions where displays may be located. The legislation is slated for consideration by the full House on Monday.

HB 2912 (Vasut) authorizes a homeowner to bring an action against a property owners' association for a violation of the Texas Residential Property Owners Protection Act or a provision of the association's dedicatory instruments by a board member acting in the board member's official capacity, and provides for the removal of that board member. The bill has been approved by the House and is headed to the Senate.

HB 3571 (Bonnen) would make it unlawful for property owners' associations to prohibit an owner from installing a "security measure," including a security camera, a motion detector, or perimeter fence. It would, however, allow the association to regulate the type of fencing that is installed. This bill was voted out of committee last week, but CAI-TCAA is still working to ensure that there are no unintended consequences from this legislation. The bill has been approved by the House and is headed to the Senate.

Texas Approves Pfizer COVID-19 Vaccine For Children Aged 12 to 15

The Texas Department of State Health Services has advised health care providers that the vaccine can be administered to adolescents aged 12 to 15 years old, in line with federal guidance. Parental consent is required for vaccinating children in this age group, either orally or in writing, though the guardian does not necessarily need to be present for the shot itself. At this point, the state has no intention of making the COVID-19 vaccine mandatory for school attendance by students older than 12 in the coming fall term.

Experts estimate 75% to 90% of Texas' population, which skews younger, needs to be vaccinated to reach herd immunity. As of now, about 40% of all Texans 16 and older have been fully vaccinated. Only 29% of 16- to 49-year-olds have been fully vaccinated, despite that age group making up about half the state's population. Vaccines are not approved for children under 12, who make up about 17% of the population.

Get Involved

CAI and TCAA hope to hear from you about the issues of concern to you and your neighbors, and we also encourage you to share your support of community associations with your local legislators.

Find out who represents you at the Texas capitol: <https://wrm.capitol.texas.gov/home>

Contact members of the House Business & Industry Committee to express your support for POAs: <https://house.texas.gov/committees/committee/?committee=C040>

For more information on the Texas Legislature and updates on our activities and events, please visit caionline.org/txlac and txcaa.org

To make a contribution [CLICK HERE](#).