AN ACT

relating to extension or modification of restrictive covenants in
certain residential real estate subdivisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.004, Property Code, is amended by
adding Subsection (d) to read as follows:
(d) If existing originally applicable restrictions provide
a procedure for extension, that procedure may be used for
successive extensions of the originally applicable restrictions
unless the original restriction instrument expressly prohibits the
procedure from being used for successive extensions.

SECTION 2. Subdivision (4), Section 210.001, Property Code,
is amended to read as follows:
(4) "Residential real estate subdivision" or
"subdivision" has the meaning assigned by Section 201.003, except
that in a county described by Section 210.002(1) a subdivision that
is a gated community with private streets need not be located in a
city, town, or village or within the extraterritorial jurisdiction
of a city, town, or village.

SECTION 3. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2009.
S.B. No. 1672

David Dewhurst
President of the Senate

I hereby certify that S.B. No. 1672 passed the Senate on May 5, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 28, 2009, by the following vote: Yeas 31, Nays 0.

Robert Haney
Secretary of the Senate

I hereby certify that S.B. No. 1672 passed the House, with amendment, on May 18, 2009, by the following vote: Yeas 136, Nays 0, one present not voting.

Rick Perry
Governor

Date: 19 JUN 09

Coley Shuler, III
Secretary of State

Filed in the Office of the Secretary of State
JUN 19 2009