

1 AN ACT

2 relating to the vesting of architectural control committee
3 authority in certain subdivisions.

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

5 SECTION 1. Section 204.011, Property Code, is amended by
6 adding Subsection (d) to read as follows:

7 (d) If existing restrictions applicable to a subdivision do
8 not provide for a property owners' association and a property
9 owners' association has not been formed, the architectural control
10 committee authority over the entire subdivision vests in a civic
11 association other than a property owners' association if:

12 (1) an architectural control committee created by the
13 restrictions exercised the architectural control committee
14 authority as provided by the restrictions over all the lots in the
15 subdivision for at least 10 years and over a majority of the lots in
16 the subdivision for at least 20 years;

17 (2) an architectural control committee created by the
18 restrictions assigned the civic association the architectural
19 control committee authority over a majority of the lots in the
20 subdivision;

21 (3) the civic association was assigned the
22 architectural control committee authority over a majority of the
23 lots in the subdivision and has exercised that authority over all
24 the lots in the subdivision for at least 10 years; and

1 (4) the architectural control committee authority has
2 lapsed in the lots in which the civic association lacks authority,
3 and the lapse is solely the result of:

4 (A) the automatic termination of the
5 architectural control committee authority; or

6 (B) the death of a member of the architectural
7 control committee or another cause resulting from the inability to
8 locate a member of the architectural control committee or the
9 member's assigns.

10 SECTION 2. This Act takes effect September 1, 2007.

Raid Bushart

President of the Senate

Tom Caddick

Speaker of the House

I certify that H.B. No. 2218 was passed by the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2218 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Ditsy Saw
Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

5 PM O'CLOCK

JUN 15 2007

Roger Williams
Secretary of State