

## **BILL ANALYSIS**

S.B. 862  
By: Birdwell  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties claim that current law is unclear on whether property owners' association boards are required to offer more than one method of voting in an election, and the parties note that offering more than one method could amount to a considerable cost to the association. S.B. 862 amends the applicable law to provide clarity on this matter.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 862 amends the Property Code to specify that a property owners' association subject to the Texas Residential Property Owners Protection Act is not required to provide an owner with more than one voting method, unless a dedicatory instrument of the association provides otherwise, so long as an owner may vote by absentee ballot or proxy.

### **EFFECTIVE DATE**

September 1, 2015.