

BILL ANALYSIS

Senate Research Center

H.B. 614
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Jurisprudence
4-24-97
Engrossed

DIGEST

Currently, many homeowner associations are prevented from enforcing deed restrictions by the high costs of filing district court actions. These high court costs are an impediment to a homeowner association's ability to enforce deed restrictions. By enabling associations to have access to justice courts, the associations may gain the ability to enforce both large and small infractions. H.B. 387, passed during the 74th Legislative Session, 1995, grants counties with populations of 2.8 million or more to file court actions in justice courts. This bill would delete the population restriction.

PURPOSE

As proposed, H.B. 614 authorizes homeowner associations in any county to file court actions in justice courts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 27.034(a), Government Code, to provide that a justice court has jurisdiction of suits relating to enforcement of a deed restriction. Deletes the 2.8 million county population restriction.

SECTION 2. Emergency clause.
Effective date: upon passage.