

BILL ANALYSIS

Senate Research Center
83R3625 PMO-D

H.B. 680
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Intergovernmental Relations
5/3/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law prohibits a property owners' association from preventing the installation or erection of at least one flagpole per property that is not more than 20 feet in height. H.B. 680 seeks to prohibit restrictions on a homeowner who wishes to display a flag in the front yard of the property.

H.B. 680 amends current law relating to provisions in the dedicatory instruments of property owners' associations regarding display of flags.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 202.001, Property Code, by adding Subdivision (5) to define "front yard."

SECTION 2. Amends Section 202.011(b), Property Code, as added by Chapter 1028 (H.B. 2779), Acts of the 82nd Legislature, Regular Session, 2011, as follows:

(b) Authorizes a property owners' association to adopt or enforce reasonable dedicatory instrument provisions:

(1) Makes no change to this subdivision;

(2) that regulate the size, number, and location of flagpoles on which flags are displayed, except that the regulation is prohibited from preventing the installation or erection of at least one flagpole per property that is not more than 20 feet in height or is located in the front yard of the property; and

(3)-(6) Makes no change to these subdivisions.

SECTION 3. Effective date: upon passage or September 1, 2013.