



## **CAI Texas/TCAA LEGISLATIVE SESSION UPDATE**

### **TCAA Minute – April 19, 2021**

#### **Community Association Legislation**

The CAI-TCAA team remains actively engaged in protecting community associations, residents, and neighborhoods in Texas. The following bills are being watched especially closely as we enter the last six weeks of the legislative session:

HB 3367 (Turner) is a broad bill that makes substantial changes to multiple provisions of the Texas Property Code relevant to property owners' associations. Impacted provisions relate to permissible service on an architectural control committee, fees for resale certificates, requirements for association websites and publicly available documents, management certificates and liens, collection of assessments, and requirements for association hearings. CAI-TCAA has serious concerns that the bill in its current form will discourage volunteer services at associations and raise costs for homeowners, among other problems. CAI-TCAA has sent out alerts to its members and supporters to contact legislators regarding this bill, which was reported out of the House Business & Industry Committee last week.

HB 3571 (Bonnen) would make it unlawful for property owners' associations to prohibit an owner from installing a "security measure," including a security camera, a motion detector, or perimeter fence. It would, however, allow the association to regulate the type of fencing that is installed. This bill was voted out of committee last week, but CAI-TCAA is still working to ensure that there are no unintended consequences from this legislation.

HB 1970 (Shaheen) requires property owners associations to promulgate policies related to fines. The bill would require the adoption of a policy regarding the enforcement of fines that must disclose each type of violation for which a fine may be assessed, the amount of the fine for each type of violation, and pertinent information regarding certain hearings. The bill also requires a copy of the policies to be publicly recorded in the county property records and provided to each owner. CAI-TCAA has worked closely with Rep. Shaheen to improve the bill and address community association concerns.

#### **Texas Power Grid Struggles Again**

On Tuesday, Texas' main power grid struggled to keep up with the demand for electricity, prompting the grid operator - Electric Reliability Council of Texas - to ask Texans to conserve power. The issue arose nearly two months after catastrophic power outages during a winter storm left millions without electricity for days and resulted in one of the most deadly and expensive disasters in the state's history.

This week's tight conditions for the grid were caused by a high number of power plants being offline for maintenance — some due to repairs from the February winter storm — combined with higher demand than ERCOT predicted, even though temperatures across the state were relatively mild. ERCOT officials said an

incoming cold front stalled, leaving parts of the state hotter than anticipated. With warmer temperatures, energy use increased as air conditioners operated longer during the day.

In the wake of the disastrous February winter storm, multiple members of ERCOT and all three members of the Public Utility Commission of Texas resigned. Last week, Governor Greg Abbott appointed Peter Lake to chair the PUC, which regulates the state's electric, telecommunication, and water and sewer utilities, implements respective legislation, and offers customer assistance in resolving consumer complaints.

### **Get Involved**

CAI and TCAA hope to hear from you about the issues of concern to you and your neighbors, and we also encourage you to share your support of community associations with your local legislators.

Find out who represents you at the Texas capitol: <https://wrm.capitol.texas.gov/home>

Contact members of the House Business & Industry Committee to express your support for POAs:  
<https://house.texas.gov/committees/committee/?committee=C040>

For more information on the Texas Legislature and updates on our activities and events, please visit [caionline.org/txlac](http://caionline.org/txlac) and [txcaa.org](http://txcaa.org)

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