



CAI Texas/TCAA LEGISLATIVE SESSION UPDATE

TCAA Minute – February 1, 2021

Community Association Legislation

As part of an effort to slow the spread of COVID-19, the Texas Legislature is not spending much time in-person at the Texas capitol during the first month or so of the legislative session. Legislators continue to file bills, however, including some that could impact Texas community associations and homeowners. CAI Texas Chapters and TCAA have flagged several new Senate bills to watch:

SB 206 (Schwertner) attempts to clean up legislation from 2019 that inadvertently required all golf carts to be licensed, and amends a statute that some local law enforcement authorities are using to deny golf cart usage. The goal is to clarify that golf carts are generally allowed in master planned communities.

SB 222 (Hughes) addresses the removal of discriminatory deed restrictions, such as race-based or religious-based restrictions, by allowing an owner of real property to petition the county clerk to determine whether a deed restriction is void due to unlawful discrimination. The clerk could then file an amendment removing that deed restriction. As a practical matter, these types of restrictions are void as a matter of law, but SB 222 allows a property owner to formally remove the restriction.

SB 265 (West) prohibits housing discrimination on the basis of a person's source of income. The bill adds "source of income" as a discriminatory basis that may not be considered in the sale or rental of housing. Source of income would include a federal Section 8 housing voucher or any other housing assistance, including rental vouchers, rental assistance, or rental subsidies from a governmental or non-governmental entity.

Governor Abbott Announces Legislative Agenda to Support Texas Businesses

Governor Greg Abbott has outlined a series of legislative priorities designed to help Texas businesses succeed during the ongoing battle with the pandemic and beyond. His proposed initiatives include protecting business owners from COVID-19 liability lawsuits, providing rapid COVID-19 testing on all job sites, increasing the availability of COVID-19 vaccines, and expanding the use of opportunity zones in the state. Abbott has also

suggested that the Texas Legislature review state regulations temporarily removed during the pandemic, to see if those regulatory burdens – including the ban on selling alcohol-to-go - could be permanently eliminated.

Texas Senate Announces First Hearings on State Budget

The first public committee hearings at the Texas capitol have been announced, as the Senate Committee on Finance will meet almost every weekday from February 8th through March 2nd. The Senate and House have both released first drafts of the state budget, and both versions exceed the amount of available funds by about \$7 billion. That gap is largely due to decreased state revenue resulting from the COVID-19 pandemic and new costs related to last session's landmark school finance legislation, which added billions more in new spending for schools and property tax reductions.

Texans wishing to provide testimony at these hearings will have to appear in person at the capitol and follow COVID-19 safety protocols for the capitol building and Senate committee meeting rooms. A person is allowed to provide only written testimony, but must personally deliver 20 paper copies of the testimony to committee staff.

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. For more information on the Texas Legislature and updates on our activities and events, please visit caionline.org/txlac and txcaa.org.