



CAI/TCAA MINUTE – March 2, 2021

Community Association Legislation

With only two more weeks for Texas legislators to file non-emergency bills, CAI and TCAA are tracking bills that would potentially impact community association, including these newly filed bills:

SB 540 (Springer) makes it unlawful for a person younger than 21 years of age to carry a handgun under certain circumstances, including in public or in a motor vehicle, if the handgun is in plain view. There is an exception for a person that has a license to carry and keeps the handgun in a shoulder or belt holster. The bill also makes it unlawful for a person to carry a handgun unlicensed onto the property of another person if they do not have effective consent and if they received notice that entry onto the property was forbidden. A person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication. The bill also outlines requirements for posted signs that are sufficient to provide written notice.

HB 1569 (Schofield) and SB 581 (Bettencourt, Creighton, Kolkhorst) both relate to regulation by a property owners' association of certain religious displays. These bills outline the extent to which a property owner's association may restrict some displays of religious items at a residence. The bills apply only to a display that is motivated by sincere religious belief, and a property owner's association is allowed to prohibit any display that threatens public health or safety, violates the law, or is patently offensive to the passerby for reasons other than its religious content.

Texas Legislature Investigates Fallout From Winter Storm

The House Committees on State Affairs and Energy Resources, along with the Senate Committee in Business & Commerce, held hearings to consider the factors that led to statewide electrical blackouts during the recent winter storm, as well as the response by industry, suppliers, and grid operators. Lawmakers are also struggling to assess the financial damage from the storm and its impact on the state budget, both this year and in the next biennium.

State leaders, including Governor Abbott and Lieutenant Governor Dan Patrick, have both made it a legislative priority to consider winterization requirements for the state's

energy producers and suppliers, and to consider changes to the membership and governance of the Electric Reliability Council of Texas (ERCOT) and the Texas Public Utility Commission (PUC).

Feds Consider Homeowner Assistance Fund

Currently, one in 10 homeowners are unable to make mortgage and related payments as a direct result of the COVID-19 national emergency. In response, Congress is considering legislation to create the Homeowner Assistance Fund to help prevent avoidable foreclosures, evictions, and utility shutoffs for those homeowners. Under the measure, funding would be allocated in part based on a formula that weighs state unemployment claims relative to the number of national unemployment claims. The goal is to direct targeted foreclosure prevention assistance to households and neighborhoods in states hit hard by the economic and housing market downturn.

Community association homeowners with COVID-19 related assessment delinquencies may be eligible to apply for the Homeowner Assistance Fund to help with past due assessments. CAI and TCAA believe that this targeted, needs-based assistance for your neighbors and your community is vital and will stop preventable foreclosures. Please consider contacting your Congress member to let them know that you support targeted, needs-based assistance to help your community association neighbors keep their homes.

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. To make a contribution [CLICK HERE](#).