

AN ACT

relating to the appointment of a board member of a property owners' association to fill a vacancy.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 209.00593(a), Property Code, as added by Chapter 1026 (H.B. 2761), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

(a) Notwithstanding any provision in a dedicatory instrument, any board member whose term has expired must be elected by owners who are members of the property owners' association. A board member may be appointed by the board [~~only~~] to fill a vacancy on the board [~~caused by a resignation, death, or disability~~]. A board member appointed to fill a vacant position shall serve for the remainder of the unexpired term of the position [~~predecessor board member~~].

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 3176 was passed by the House on May 1, 2013, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3176 was passed by the Senate on May 20, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor