



## **TCAA MINUTE** **April 15, 2019**

### **Legislative Activity**

Texas' top three political leaders — Governor Abbott, Lieutenant Governor Patrick, and House Speaker Bonnen — announced their support for a proposal to increase the state sales tax by 1 percentage point in order to lower property taxes across the state. The proposal would raise the state's sales tax to 7.25%; when coupled with the local option 2% sales tax, most areas in Texas would see a sales tax of 9.25%. The resulting billions of additional state dollars for property tax relief will only happen if 2/3 of the Texas Legislature approves the measure this session and voters approve a constitutional amendment in a statewide election next November. The proposed tax swap is receiving early resistance from many Democrats, who view sales taxes as regressive, and skepticism from some Republicans, who are reluctant to vote for any tax increase.

### **Bills of Note**

With only six weeks left in the legislative session and procedural deadlines fast approaching, it is more important than ever for the TCAA team to monitor the bills that directly impact community associations in Texas. TCAA is working closely with the bill authors to make them aware of the concerns of homeowners and community associations. Some important bills that have been heard in committee and are currently awaiting a final committee vote include:

- [HB 1396](#) by Rep. Sam Harless proposes to limit board eligibility in relation to cohabitation at the same primary residence, so that only one director is permitted per primary residence. That bill is currently pending in the House Business & Industry Committee.
- [HB 1787](#) by Rep. Justin Holland relates to the statutes of limitation and repose for certain claims involving the construction or repair of an improvement to real property or equipment attached to real property, compressing the timeframe available for such claims from 10 years to 8 years. That bill is currently pending in the House Business & Industry Committee.

Other bills on the TCAA radar include:

- [HB 3445](#) by Rep. Tracy King and [SB 2204](#) by Sen. Pat Fallon shorten the timeframe for an association board to transition from developer-controlled to resident-controlled, and also require board meetings of certain associations to be held within 10 miles of the subdivision.
- [HB 4176](#) by Rep. Angie Chen Button allows property owners' associations to regulate short-term rentals.
- [SB 639](#) by Sen. Joan Huffman is a wide-ranging bill addressing the operation and management of condominium unit owners' associations, including issues related to the meetings, records, and elections of those groups.
- [HB 660](#) by Rep. Matt Shaheen addresses the assessment of fines by property owners' associations.
- [HB 589](#) by Rep. Joe Deshotel addresses mechanic's, contractor's, and materialman's liens, and extends to condominium unit owners the liability of a condominium association's failure to pay a contractor.
- [HB 1025](#) by Rep. Dwayne Bohac deals with candidacy for and membership on the board of certain property owners' associations.
- [HB 2302](#) by Rep. Greg Bonnen and [SB 227](#) by Sen. Paul Bettencourt tackle the issue of when a property owners' association may regulate religious displays at a residence.

### **Public Policy Think Tanks**

Many of the policy ideas at the Texas Capitol – and much of the input provided during the legislative process – come from public policy think tanks and similar organizations. Some of the more active groups in Texas include:

#### *Center for Public Policy Priorities*

<http://forabettertexas.org/>

Orientation: progressive. The Center for Public Policy Priorities (CPPP) is an independent public policy organization that uses data and analysis to advocate for solutions that enable Texans of all backgrounds to reach their full potential. The CPPP advocates for Texas to be the best state for hard-working people and their families.

#### *Public Citizen - Texas State Office*

<http://www.citizen.org/texas/>

Orientation: progressive. Founded by Ralph Nader in 1971, Public Citizen is a national, nonprofit consumer advocacy organization that represents consumer interests in Congress, the executive branch, and the courts. Since 1984, Public Citizen's Texas State Office has concerned itself with environmental policies, product safety, medical safety, auto safety, insurance reforms, campaign finance and ethics issues, and improving state government operations.

*Texas Conservative Coalition Research Institute*

<https://txccri.org/>

Orientation: conservative. The Texas Conservative Coalition Research Institute (TCCRI) was founded in 1996 by a group of state leaders determined to implement conservative public policies in state government. The work of TCCRI is based upon four core principles: limited government, individual liberty, free enterprise, and traditional values.

*Texas Public Policy Foundation*

<http://www.texaspolicy.com>

Orientation: conservative. The Texas Public Policy Foundation is a nonprofit, non-partisan research institute guided by the principles of liberty, personal responsibility, and free enterprise.

**Get Involved**

If you would like to get involved with TCAA and help protect community associations across Texas, please visit the TCAA website for more information on activities, events, and legislative updates:

[www.txcommunityassociationadvocates.org](http://www.txcommunityassociationadvocates.org)