



CAI Texas/TCAA LEGISLATIVE SESSION UPDATE

TCAA Minute – March 8, 2021

Community Association Legislation

Friday, March 12th will mark the 60th day of the Texas legislative session and the deadline for filing bills and joint resolutions other than local bills, emergency appropriations, and bills that have been declared an emergency by the Governor. More than 4,000 bills and resolutions have been filed so far this session. CAI and TCAA are tracking these bills for potential impacts on Texas homeowners and property owners associations, including:

HB 1659 (Murphy) exempts portions of real property within a subdivision that contains a commercial structure, industrial structure, apartment complex, or condominium from Texas Property Code provisions related to the declaration amendment maximum percentage of 67% of the total votes allocated to the owners.

HB 1686 (Cortez) allows a person, at their home, to raise or keep fowls, rabbits, and beehives; to grow fruits and vegetables; and to engage in some “cottage food” production. Municipalities and property owners associations would be able to adopt and enforce reasonable restrictions and requirements; however, the restrictions cannot have the effect of prohibiting the raising or keeping of fowls, rabbits, or bees.

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.

Governor Abbott Lifts Most Statewide Orders Related to COVID-19

Governor Greg Abbott announced this week that, effective Wednesday, March 10th, it is time to “open Texas 100%” by rescinding the statewide mask-wearing mandate and most of his executive orders related to the state’s response to the COVID-19 pandemic.

In making his decision, Abbott cited decreased hospitalization rates and increasing access to vaccines, and urged Texans to continue exercising safe practices.

Individual businesses will still be allowed to impose their own restrictions on customer capacity and to require customers to wear a mask onsite. School districts have been instructed to follow protocols set out by the Texas Education Agency, and early indications are that districts will be allowed to enforce mask-wearing and social-distancing requirements on campus.

Some city and county officials in Texas, including Fort Worth Mayor Betsy Price and Harris County Judge Lina Hidalgo, criticized Abbott for his decision to lift the statewide restrictions, saying it contradicts health officials' advice. Mayors in some of Texas' biggest cities, including Austin, Dallas, Houston, San Antonio and El Paso, also announced that they will continue to mandate the use of masks in municipal buildings, even after the statewide mask order ends.

Average 30-Year Fixed Rate Mortgage Hits 3 Percent

The average interest rate on a 30-year fixed-rate mortgage topped 3 percent for the first time since July 2020, according to a survey by the government-sponsored mortgage company Freddie Mac. Mortgage rates, which typically fall in response to economic uncertainty, had plummeted to historic lows during the pandemic and hit their lowest point - an average 2.65 percent for a 30-year fixed-rate mortgage - at the start of January 2021. While rates have begun drift back upward, they remain significantly lower than they were before the pandemic. A year ago, the average for a 30-year fixed-rate mortgage was 3.29 percent; two years ago, it was 4.41 percent.

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.

LEGISLATIVE WEEK

March 22-26, 2021



your voice matters

