

Section BLUEBONNET ESTATES - Sample Provision Excerpt (Public Preview)

BLUEBONNET ESTATES DECLARATION OF COVENANTS, CONDITIONS & RESTRI=ONS 4812-4687-7609v.5 54969-66

(v) a religious item on !he entry door or door frame of a residence (which may not extend beyond !he outer edge of !he door frame), provided !hat the size of !he item(s), individually or in combination wifu oilier religious items on !he entry door or door frame of !he residence, does not exceed twenty-five (25) square inches;

(vi) permits as may be required by legal proceedings; and

ISSUE #1 s may be required by...

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. BLUEBONNET ESTATES (p. 20): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex. Prop. Code § 202.018 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 202.018 (SB 1588)

Statutory Comparison: Effective September 1, 2021, SB 1588 amended Tex. Prop. Code § 202.018 to expand protection for religious items displayed or affixed on the owner's or resident's property or dwelling (not solely the front entry door) and repealed the former 25-square-inch size limitation. Covenants restricting religious displays are unenforceable unless the display threatens public health or safety, violates a law other than a prohibition against religious speech, contains patently offensive language/graphics, or is installed on common property.

CURRENT WORDING IN DOCUMENT:

BLUEBONNET ESTATES DECLARATION OF COVENANTS, CONDITIONS & RESTRI=ONS 4812-4687-7609v.5 54969-66

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(vi) permits as may be required by legal proceedings; and

(vii) permits as may be required by...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

BLUEBONNET ESTATES DECLARATION OF COVENANTS, CONDITIONS & RESTRI=ONS 4812-4687-7609v.5 54969-66

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(vi) permits as may be required by legal proceedings; and

(vii) permits as may be required by any governmental entity. [SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: Pursuant to Tex.