

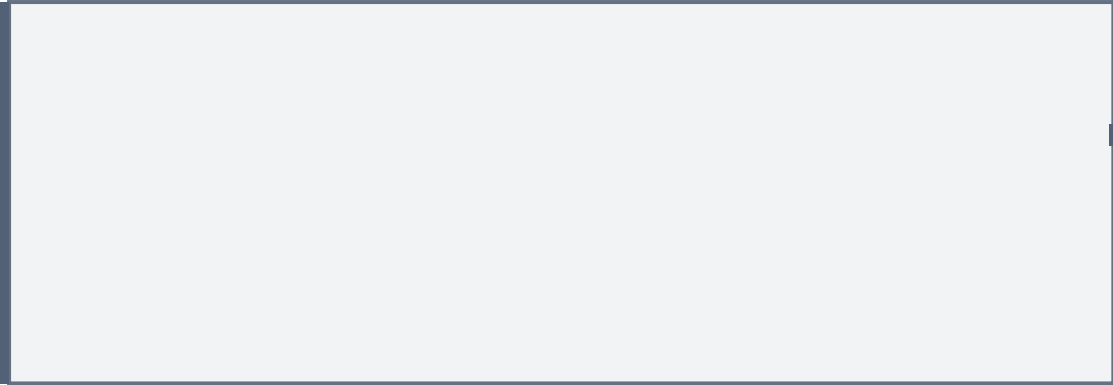
Section 3.3.2 - Sample Provision Excerpt (Public Preview)

Criminal Conviction. A person who has been convicted of a felony or crime involving moral turpitude may not serve on the Board, unless the person's criminal record was disclosed to the Members within 30 days before the date of election or appointment to the Board in a manner that is calculated to get the attention of the Members.

NEW HOME ESTATES POA

Bylaws

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3.3.2 (p. 7): Board meeting clause provides less than the mandatory 144-hour (regular) / 72-hour (special) owner notice or permits secret/unnoticed board votes on fines, assessments, or budget adoption in violation of Tex. Prop. Code § 209.0051(e)-(h).

Statutory / Legal Reference: Tex. Prop. Code § 209.0051(e)-(h) (SB 1588)

Statutory Comparison: Under Tex. Prop. Code § 209.0051(e) (as amended by SB 1588), all regular and special board meetings must be open to owners, and notice of the date, hour, place, and general subject of the meeting must be posted (including on any association website) and emailed to each registered owner at least 144 hours (6 days) before a regular board meeting and at least 72 hours (3 days) before a special board...

CURRENT WORDING IN DOCUMENT:

Criminal Conviction. A person who has been convicted of a felony or crime involving moral turpitude may not serve on the Board, unless the person's criminal record was disclosed to the Members within 30 days before the date of election or appointment to the Board in a manner that is calculated to get the attention of the Members. NEW HOME ESTATES POA Bylaws

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Tex. Prop. Code § 209.0051(e)-(h) (SB 1588), all regular and special Board meetings shall be open to Owners, with notice of the date, hour, place, and agenda posted and emailed to Owners at least 144 hours before a regular Board meeting and at least 72 hours before a special Board meeting.