

Section 202.009(c) - Sample Provision Excerpt (Public Preview)

religious items on the entry door or door frame of the Residence, does not exceed twenty-five (25) square inches; (V) (vi) permits as may be required by legal proceedings; and permits as may be required by any governmental entity. An Owner or Resident will be permitted to post a "no soliciting" and "security warning" sign near or on the front door to their Residence, provided, that the sign may not exceed twenty-five (25) square inches.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 202.009(c) (p. 10): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex.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 S 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items displayed or affixed on the owner's or resident's property or dwelling (not solely the front entry door) and repealed the former 25-square-inch size limitation.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:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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[SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: Pursuant to Tex. Prop.