

Section di - Sample Provision Excerpt (Public Preview)

Members of the Association. No formal action by the Board of Directors to suspend the voting rights of a Member who is not in good standing is required. Section Three. Voting Rights. Each Member other than Declarant shall be a Class A Member entitled to one (1) vote per Lot owned on each matter submitted to a vote of the Members.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. di (p. 7): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex.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: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

CURRENT WORDING IN DOCUMENT:

Members of the Association. No formal action by the Board of Directors to suspend the voting rights of a Member who is not in good standing is required. Section Three. Voting Rights. Each Member other than Declarant shall be a Class A Member entitled to one (1) vote per Lot owned on each matter submitted to a vote of the Members.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Members of the Association. No formal action by the Board of Directors to suspend the voting rights of a Member who is not in good standing is required. Section Three. Voting Rights. Each Member other than Declarant shall be a Class A Member entitled to one (1) vote per Lot owned on each matter submitted to a vote of the Members. [STATUTORY VOTING RIGHTS PROTECTION]: Pursuant to Tex. Prop.