



Section 1 - Sample Provision Excerpt (Public Preview)

Gwyn Shea'

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Secretary of State

Corporations Section

P.O.Box13697

Austin, Texas 787116697

ISSUE #1

Secretary of State

CERTIFICATE OF INCORPORATION

OF

SUNCREEK RANCH PROPERTY

OWNERS ASSOCIATION

Filing Number: 800050930

for the

certies that Articles of Incorporation

hereby

Texas,

of

State

of

Secretary

The undersigned, as

found to conform to...

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

**Sec. 1 (p. 1): Potential Issue for Review: Governing document bundle authorizes fines but lacks or fails to reference the mandatory recorded Enforcement Policy & Schedule of Fines required by Tex. Prop. Code § 209.0061 (HB 614) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.**

**Statutory / Legal Reference: Tex. Prop. Code § 209.0061 (HB 614)**

Statutory Comparison: Effective January 1, 2024, HB 614 enacted Tex. Prop. Code § 209.0061, requiring every subdivision HOA with fining authority to adopt, record, and post/distribute an enforcement policy that enumerates each general category of restrictive covenants for which the association may assess a fine and a specific schedule of fines for each category.

**CURRENT WORDING IN DOCUMENT:**

Gwyn Shea' \* Secretary of State Corporations Section P.O.Box13697 Austin, Texas 787116697 Office of the Secretary of State CERTIFICATE OF INCORPORATION OF SUNCREEK RANCH PROPERTY OWNERS ASSOCIATION Filing Number: 800050930 for the certies that Articles of Incorporation hereby Texas, of State of Secretary The undersigned, as found to conform to...

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Adopt, record in the county real property records, and post on the Association website a compliant Fining & Enforcement Policy containing the schedule of fines by...**