Section di - Sample Provision Excerpt (Public Preview)

splayed or affixed on the entry door or door frame have a total size of greater than twenty-five (25) square inches.

Vi.

Flags. An Owner may display the flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States armed forces on the Owner's Lot in accordance with this

ISSUE #1

The...

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

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 di (p. 10): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex.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items displayed or affixed on the owner's or resident's property or dwelling (not solely the front entry door) and repealed the former 25-square-inch size limitation.

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Tex. Prop. Code § 202.018 as amended by SB 1588, an Owner or resident may display or affix one or more religious items on the Owner's property or dwelling motivated by sincere religious belief, subject only to the narrow statutory limitations in § 202.018(b) (removing any legacy 25-square-inch size restriction).