Section IV - Sample Provision Excerpt (Public Preview)

the affairs of this Association shall be governed by a Board of Directors composed of from three to nine persons. The I
Board of Directors of the association shall be composed of three (3) persons. The number of directors may be changed to
not less than three, nor more than nine directors by amendment to the Bylaws of the Association.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING
BOARD & COUNSEL REVIEW

Sec. IV (p. 5): Board meeting clause permits unannounced board action on non-routine matters or provides less than the mandatory 144-hour (regular) / 72-hour (special) owner notice required by Tex. Prop. Code § 209.0051(e) & (h) (SB 1588).

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), owners must be given notice of the date, hour, place, and general subject of a regular or special board meeting (including a general description of any matter to be brought up in executive session) at least 144 hours (6 days) before a regular board meeting and at least 72 hours (3 days) before a special board meeting if posted/emailed, or 10 - 60 days in advance if mailed.

CURRENT WORDING IN DOCUMENT:
the affairs of this Association shall be governed by a Board of Directors composed of from three to nine persons. The initial Board of Directors of the association shall be composed of three (3) persons. The number of directors may be changed to not less than three, nor more than nine directors by amendment to the Bylaws of the Association.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
the affairs of this Association shall be governed by a Board of Directors composed of from three to nine persons. The initial Board of Directors of the association shall be composed of three (3) persons. The number of directors may be changed to not less than three, nor more than nine directors by amendment to the Bylaws of the Association. [SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: All regular and special meetings of the Board shall be open to Owners in accordance with Tex. Prop. Code § 209.0051.