Section 5.6 - Sample Provision Excerpt (Public Preview)

Any Director whose removal has been given an opportunity to be heard at the meeting. 5. 7 ORGANIZATION MEETING. The first Board of Directors shall be held within place as shall be fixed by the
(1st) meeting of a ten Directors
(10) at days of the newly elected election meeting at at such which such Directors were elected, and no notice shall be necessary to...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 5.6 (p. 78): 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,...

CURRENT WORDING IN DOCUMENT:

Any Director whose removal has been given an opportunity to be heard at the meeting. 5. 7 ORGANIZATION MEETING. The first Board of Directors shall be held within place as shall be fixed by the
(1st) meeting of a ten Directors
(10) at days of the newly elected election meeting at at such which such Directors were elected, and no notice shall be necessary to...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Any Director whose removal has been given an opportunity to be heard at the meeting. 5. 7 ORGANIZATION MEETING. The first Board of Directors shall be held within place as shall be fixed by the
(1st) meeting of a ten Directors
(10) at days of the newly elected election meeting at at such which such Directors were elected, and no notice shall be necessary to the newly elected Directors in order...