1-1 By: Darby (Senate Sponsor - Hughes)   H.B. No. 2569
1-2   (In the Senate - Received from the House May 6, 2019;
1-3 May 10, 2019, read first time and referred to Committee on Business
1-4 & Commerce; May 20, 2019, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 20, 2019, sent to printer.)

1-6   COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Hancock	X			
1-9	Nichols	X			
1-10	Campbell	X			
1-11	Creighton			X	
1-12	Menéndez	X			
1-13	Paxton	X			
1-14	Schwertner	X			
1-15	Whitmire	X			
1-16	Zaffirini	X			

1-17   A BILL TO BE ENTITLED
1-18   AN ACT

1-19 relating to requirements for condominium plats or plans.
1-20   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-21   SECTION 1. Sections 82.059(b) and (d), Property Code, are
1-22 amended to read as follows:
1-23   (b) Each plat must show:
1-24   (1) the name and a survey or general schematic map of
1-25 the entire condominium;
1-26   (2) the location and dimensions of all real property
1-27 not subject to development rights, or subject only to the
1-28 development right to withdraw, and the location and dimensions of
1-29 all existing improvements within that real property;
1-30   (3) a legally sufficient description of any real
1-31 property subject to development rights, labeled to identify the
1-32 rights applicable to each parcel;
1-33   (4) the extent of any encroachments by or on any
1-34 portion of the condominium;
1-35   (5) to the extent feasible, a legally sufficient
1-36 description of all easements serving or burdening any portion of
1-37 the condominium, and the location of any underground utility line
1-38 that is actually known by the declarant at the time of filing the
1-39 declaration to have been constructed outside a recorded easement;
1-40   (6) the location and dimensions of any vertical unit
1-41 boundaries not shown or projected on recorded plans and the unit's
1-42 identifying number;
1-43   (7) the location of horizontal unit boundaries, if
1-44 any, with reference to established data, unless described in the
1-45 declaration or [of any horizontal unit boundaries not] shown or
1-46 projected on recorded plans, and the unit's identifying number;
1-47   (8) a legally sufficient description of any real
1-48 property in which the unit owners will own only an estate for years,
1-49 labeled as "leasehold real property";
1-50   (9) the distance between noncontiguous parcels of real
1-51 property constituting the condominium;
1-52   (10) the location and dimensions of limited common
1-53 elements, other than those described by Sections 82.052(2) and (4);
1-54   (11) in the case of real property not subject to
1-55 development rights, all other matters required by law on land
1-56 surveys; and
1-57   (12) the distance and bearings locating each building
1-58 from all other buildings and from at least one boundary line of the
1-59 real property constituting the condominium.
1-60   (d) To the extent not shown on the plats, plans must show:
1-61   (1) the location and dimensions of the vertical

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2-1   boundaries of each unit, and the unit's identifying number;
2-2   (2)   the horizontal unit boundaries, <u>if any,</u> with
2-3   reference to established data, <u>unless described in the declaration,</u>
2-4   and the unit's identifying number; and
2-5   (3)   any units, appropriately identified, in which the
2-6   declarant has reserved the right to create additional units or
2-7   common elements.
2-8   SECTION 2.   The changes in law made by this Act apply only to
2-9   a declaration, plat, or plan of a condominium for which the
2-10 declaration was recorded on or after the effective date of this Act.
2-11 A declaration, plat, or plan of a condominium for which the
2-12 declaration was recorded before the effective date of this Act is
2-13 governed by the law in effect immediately before the effective date
2-14 of this Act, and that law is continued in effect for that purpose.
2-15   SECTION 3.   This Act takes effect September 1, 2019.

2-16   * * * * *