

**S.B. No. 581**

AN ACT relating to regulation by a property owners' association of **certain religious displays**.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 202.018(a) and (b), Property Code, are amended to read as follows:

(a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a provision in a dedicatory instrument, including a restrictive covenant, that prohibits a property owner or resident from displaying or affixing on the [entry to the] owner's or resident's property or dwelling one or more religious items the display of which is motivated by the owner's or resident's **sincere religious belief**.

(b) This section **does not prohibit the enforcement or adoption of a provision in a dedicatory instrument, including a restrictive covenant, that, to the extent allowed by the constitution of this state and the United States, prohibits the display or affixing of a religious item on the [entry to the] owner's or resident's property or dwelling that:**

- (1) threatens the public health or safety;
  - (2) violates a law other than a law prohibiting the display of religious speech;
  - (3) contains language, graphics, or any display that is **patently offensive** to a passerby for reasons other than its religious content;
  - (4) is installed on property:
    - (A) owned or maintained by the property owners' association; or
    - (B) owned in common by members of the property owners' association;
  - (5) **violates any applicable building line, right-of-way, setback, or easement;** or
  - (6) is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or **fixture** [in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling; or
- [(5) individually or in combination with each other religious item displayed or affixed on the entry door or door frame has a total size of greater than 25 square inches].

SECTION 2. **Sections 202.018(c) and (d), Property Code, are repealed.**

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 581 passed the Senate on April 6, 2021, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 581 passed the House on May 18, 2021, by the following vote: Yeas 139, Nays 4, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor