

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3318</b>
<b>Version:</b>	<b>FULLPCS1</b>
<b>Request Number:</b>	<b>10321</b>
<b>Author:</b>	<b>Rep. Bashore</b>
<b>Date:</b>	<b>2/21/2024</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

HB3318 invalidates unfair services agreements related to the maintenance of, purchase, or sale of residential real estate and prohibits the recording of such agreements in county property records. Services agreement are considered unfair if the service subject is not performed within 1 year of the agreement date, or if the agreement automatically renews itself after 1 year and includes any provision that bind the agreement to future owners of the property, assigns a right to provide service without the consent or notice to the property owner or creates a lien or other real property security interest.

County clerks are prohibited from recording unfair services agreement, but are not liable if they accidentally do so. An interest owner of the property can ask the district court to declare an agreement unenforceable and can recover damages, cost and attorney fees against the service provider who recorded the unfair agreement.

Prepared By: Quyen Do

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

**Other Considerations**

None.