

1 ENGROSSED HOUSE
2 BILL NO. 2800

By: Marti of the House

and

Seifried of the Senate

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7 [property - retention of documents - accessibility -
8 notification to homeowners - update - covenant -
9 condition - restriction - owners association -
10 disclosure of certain fees - fee amounts - good
11 standing documents - disclosure documents -
12 restrictive covenants - fair economic use of a
13 property - settlement services provider - statement
14 - fee structure - violations - notification -
15 meeting - recorded covenants and restrictions -
16 codification -
17 emergency]

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20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 857.1 of Title 60, unless there
23 is created a duplication in numbering, reads as follows:
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1 Copies or certified copies of all the recorded covenants,
2 conditions, and restrictions of a real estate development, including
3 any recorded amendments and addendums to the documents, shall be
4 retained by the managing entity of a real estate development and
5 shall be accessible electronically within a reasonable amount of
6 time, not to exceed three (3) business days beyond receipt of
7 request, to all parties to a home transaction or a property owner
8 whose property falls within such development.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 857.2 of Title 60, unless there
11 is created a duplication in numbering, reads as follows:

12 Notification sent via email or by postal mail to all homeowners
13 within an owners association's jurisdiction shall be required of an
14 owners association within five (5) business days upon adoption of an
15 update of covenants, conditions, and restrictions.

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 857.3 of Title 60, unless there
18 is created a duplication in numbering, reads as follows:

19 All entities tasked with managing an owners association shall
20 disclose individual fees assessed by an owners association or a
21 third-party management company and the limit on each individual fee
22 shall be no more than One Hundred Seventy-five Dollars (\$175.00).
23 Fees shall not include any fines, assessments, or services.

1 Upon request of documents reporting the condition of a property
2 for sale, a homeowner shall not be charged a fee for a report on
3 said property.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 857.4 of Title 60, unless there
6 is created a duplication in numbering, reads as follows:

7 An owners association shall keep records with regard to the
8 financial condition of the owners association, including audits, and
9 records with regard to dues and any outstanding assessments or
10 fines, to be updated at least quarterly. Upon written request by
11 the owner or owner's authorized agent, an owners association shall
12 issue a statement to the requesting party detailing a homeowner's
13 standing with regard to dues and any outstanding assessments or
14 fines. Said statement shall be provided to the requesting owner or
15 owner's authorized agent within five (5) business days of request
16 and shall not be accompanied by charges in excess of Fifty Dollars
17 (\$50.00) for each completed request.

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 857.5 of Title 60, unless there
20 is created a duplication in numbering, reads as follows:

21 Owner associations or managing entities of owners associations
22 shall delineate in documents for the association the fee structure
23 surrounding operation of the owners association and any potential
24 charges to homeowners arising therefrom.

1 SECTION 6. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 857.6 of Title 60, unless there
3 is created a duplication in numbering, reads as follows:

4 Owners associations or managing entities of homeowners
5 associations shall delineate in documents for the association the
6 schedule of fines for violations of the owners association's
7 covenants, conditions, and restrictions. Updates to fine structures
8 shall not occur more than once per calendar year at an annual owners
9 association meeting. Owners shall be notified of such meetings
10 under requirements set forth under Title 18 of the Oklahoma
11 Statutes.

12 SECTION 7. AMENDATORY 60 O.S. 2021, Section 857, is
13 amended to read as follows:

14 Section 857. ~~A copy~~ Copies or ~~a certified copy~~ copies of all
15 the recorded covenants and restrictions of a real estate
16 development, including any recorded amendments and addendums to
17 these documents, that are referenced in the commitment for title
18 insurance shall be provided by the ~~title company~~ settlement services
19 provider closing the sale to the buyer of property in the real
20 estate development as a part of the closing of the real estate sale.
21 The buyer may be charged no more than Twenty-five Dollars (\$25.00)
22 for the ~~copy, and the copy~~ copies. In the event that certified
23 copies are requested, a settlement services provider may also charge
24 the cost incurred for obtaining said copies from the county clerk.

1 The copies shall either be provided prior to or at the time of
2 closing either by mail to the buyer's last-known address, hand-
3 delivered or electronically delivered.

4 SECTION 8. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 Passed the House of Representatives the 27th day of March, 2025.

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Presiding Officer of the House
of Representatives

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13 Passed the Senate the _____ day of _____, 2025.

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Presiding Officer of the Senate

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