

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2800 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____ Amendment submitted by: TJ Marti _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 2800

By: Marti of the House

and

Seifried of the Senate

FLOOR SUBSTITUTE

An Act relating to property; requiring the retention of certain documents; requiring accessibility to certain documents; providing time frame to provide documents to certain parties; requiring notification to homeowners of adoption of an update of a covenant, condition, or restriction by an owners association; providing for disclosure of certain fees; limiting fee amounts; prohibiting fee for certain document; providing for fees of good standing documents; providing fee for providing certain disclosure documents; prohibiting the restrictive covenants which limit the fair economic use of a property; requiring an owners association to issue to a settlement services provider a statement stating that a homeowner is in good standing; requiring the disclosure by certain parties of the fee structure surrounding operation of an owners association and any potential charges to homeowner; requiring the disclosure by certain parties of the fines for violations of the owners association's covenants, conditions, and restrictions; limiting how many times a fine structure may be updated; requiring certain notification of certain meeting; amending 60 O.S. 2021, Section 857, which relates to copies of recorded covenants and restrictions; modifying terminology; providing for codification; and providing an effective date.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 857.1 of Title 60, unless there
4 is created a duplication in numbering, reads as follows:

5 Copies or certified copies of all the recorded covenants,
6 conditions, and restrictions of a real estate development, including
7 any recorded amendments and addendums to the documents, shall be
8 retained by the managing entity of a real estate development and
9 shall be accessible electronically within a reasonable amount of
10 time, not to exceed three (3) business days beyond receipt of
11 request, to all parties to a home transaction or a property owner
12 whose property falls within such development.

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

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

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

23 All entities tasked with managing an owners association shall
24 disclose individual fees assessed by an owners association or a

1 third-party management company and the limit on each individual fee
2 shall be no more than One Hundred Seventy-five Dollars (\$175.00).
3 Fees shall not include any fines, assessments or services.

4 Upon request of documents reporting the condition of a property
5 for sale, a homeowner shall not be charged a fee for a report on
6 said property.

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

10 An owners association shall not pass restrictive covenants which
11 limit the fair economic use of a property, by prohibiting the right
12 to rent a property either long term or short term.

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

16 An owners association shall keep records with regard to the
17 financial condition of the owners association, including audits, and
18 records with regard to dues and any outstanding assessments or
19 fines, to be updated at least quarterly. Upon written request by
20 the owner or owner's authorized agent, an owners association shall
21 issue a statement to the requesting party detailing a homeowner's
22 standing with regard to dues and any outstanding assessments or
23 fines. Said statement shall be provided to the requesting owner or
24 owner's authorized agent within five (5) business days of request

1 and shall not be accompanied by charges in excess of Fifty Dollars
2 (\$50.00) for each completed request.

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

6 Owner associations or managing entities of owners associations
7 shall delineate in documents for the association the fee structure
8 surrounding operation of the owners association and any potential
9 charges to homeowners arising therefrom.

10 SECTION 7. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 857.7 of Title 60, unless there
12 is created a duplication in numbering, reads as follows:

13 Owners associations or managing entities of homeowners
14 associations shall delineate in documents for the association the
15 schedule of fines for violations of the owners association's
16 covenants, conditions, and restrictions. Updates to fine structures
17 shall not occur more than once per calendar year at an annual owners
18 association meeting. Owners shall be notified of such meetings
19 under requirements set forth under Title 18 of the Oklahoma
20 Statutes.

21 SECTION 8. AMENDATORY 60 O.S. 2021, Section 857, is
22 amended to read as follows:

23 Section 857. ~~A copy~~ Copies or a certified ~~copy~~ copies of all
24 the recorded covenants and restrictions of a real estate

1 development, including any recorded amendments and addendums to
2 these documents, that are referenced in the commitment for title
3 insurance shall be provided by the ~~title company~~ settlement services
4 provider closing the sale to the buyer of property in the real
5 estate development as a part of the closing of the real estate sale.
6 The buyer may be charged no more than Twenty-five Dollars (\$25.00)
7 for the ~~copy, and the copy~~ copies. In the event that certified
8 copies are requested, a settlement services provider may also charge
9 the cost incurred for obtaining said copies from the county clerk.
10 The copies shall either be provided prior to or at the time of
11 closing either by mail to the buyer's last-known address, hand-
12 delivered or electronically delivered.

13 SECTION 9. This act shall become effective November 1, 2025.

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