

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB2264
Version:	POLPCS1
Request Number:	12375
Author:	Rep. Miller
Date:	3/3/2025
Impact:	\$0

Research Analysis

The proposed policy committee substitute for HB 2264 authorizes real estate owners associations to collect unpaid membership amounts by filing a lawsuit in the district court where the property is located. If a lien has been filed, a judgment in favor of the owners association supersedes the lien. If no lien has been filed, a judgment in favor of the owners association may become a judgment lien.

If the defaulting owner wins the case, the owners association must cover the judgment, including attorney fees, by levying assessments on other association members, excluding the prevailing party. If the association owns common areas, the winning owner can attach a statement of judgment to those properties.

If any lien-related payments are still owed after three years, the owners association or prevailing owner may foreclose on the lien or judgment lien using standard mortgage foreclosure procedures, with or without a sale. In foreclosure actions, the winning party can recover attorney fees, which are taxed as court costs.

The measure also provides that a lien filed by an owners association must also cover any unpaid membership obligations that arise after filing.

Prepared By: Autumn Mathews

Fiscal Analysis

The POLPCS1 to HB2264 modifies civil procedures related to owners associations. In its current form, this measure is not anticipated to have a material impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.