

COMMITTEE 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

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2800

By: Marti

7 PROPOSED POLICY COMMITTEE SUBSTITUTE

8 An Act relating to property; requiring the retention
9 of certain documents; requiring accessibility to
10 certain documents; providing time frame to provide
11 documents to certain parties; requiring notification
12 to homeowners of adoption of an update of a covenant,
13 condition, or restriction by an owners association;
14 providing for disclosing of certain fees; limiting
15 fee amounts; prohibiting fee for certain document;
16 providing for fees of good standing documents;
17 providing fee for providing certain disclosure
18 documents; prohibiting the restrictive covenants
19 which limit the fair economic use of a property;
20 requiring an owners association to issue to a
21 settlement services provider a statement stating that
22 a homeowner is in good standing; requiring the
23 disclosure by certain parties of the fee structure
24 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.

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

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

4 Copies or certified copies of all the recorded covenants,
5 conditions, and restrictions of a real estate development, including
6 any recorded amendments and addendums to the documents, shall be
7 retained by the managing entity of a real estate development and
8 shall be accessible electronically within a reasonable amount of
9 time, not to exceed seventy-two (72) hours beyond receipt of
10 request, to all parties to a home transaction or a property owner
11 whose property falls within such development.

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

15 Notification to all homeowners within an owners association's
16 jurisdiction shall be required of an owners association within five
17 (5) business days upon adoption of an update of covenants,
18 conditions, and restrictions.

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

22 All entities tasked with managing an owners association shall
23 disclose individual fees assessed by an owners association or a
24 third-party management company and the limit on each individual fee

1 shall be no more than One Hundred Seventy-five Dollars (\$175.00).

2 Fees shall not include any fines or assessments or services.

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

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

9 An owners association shall not pass restrictive covenants which
10 limit the fair economic use of a property, including the right to
11 rent a property either long-term or short-term or as the office of
12 an in-home business.

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 owners' authorized agent, an owners association shall
21 issue a statement to the requesting party ensuring that a homeowner
22 is in good standing with regard to dues and any outstanding
23 assessments or fines. Said statement shall be provided to the
24 requesting owner or owners' authorized agent within seven (7) days

1 of request and shall not be accompanied by charges in excess of
2 Fifty Dollars (\$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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