

By: Hickland

H.B. No. 4447

A BILL TO BE ENTITLED

AN ACT

relating to information that a property owners' association must file with the Texas Real Estate Commission; authorizing an administrative penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 209, Property Code, is amended by adding Section 209.00405 to read as follows:

Sec. 209.00405. INFORMATION TO BE FILED WITH TEXAS REAL ESTATE COMMISSION. (a) In this section, "commission" means the Texas Real Estate Commission.

(b) Not later than the seventh day after the date a property owners' association files a management certificate for recording under Section 209.004(a) or files an amended management certificate for recording under Section 209.004(b), the property owners' association shall electronically file the following information with the commission:

(1) the rules and regulations adopted by the property owners' association; and

(2) the enforcement policy required under Section 209.0061.

(c) The commission shall only collect the information required under Subsection (b) for the purpose of making the data accessible to the general public through an Internet website.

(d) A property owners' association that fails to file the

1 information required under Subsection (b) is subject to an
2 administrative penalty imposed by the commission of \$1,000 for the
3 first day of the violation and \$500 for each additional day that the
4 association fails to file the information. The commission shall
5 deposit penalties collected under this section as general revenue
6 in the state treasury.

7 (e) A property owners' association may not recoup the amount
8 of an administrative penalty imposed under Subsection (d) from
9 members of the property owners' association.

10 SECTION 2. (a) Not later than December 1, 2025, the Texas
11 Real Estate Commission shall establish and make available the
12 system necessary for the electronic filing of the information
13 required under Section 209.00405(b), Property Code, as added by
14 this Act.

15 (b) Notwithstanding Section 209.00405(b), Property Code, as
16 added by this Act, a property owners' association that has on or
17 before December 1, 2025, recorded a management certificate or
18 amended management certificate with a county clerk under Section
19 209.004, Property Code, shall electronically file the information
20 required by Section 209.00405(b), Property Code, with the Texas
21 Real Estate Commission not later than June 1, 2026.

22 SECTION 3. This Act takes effect September 1, 2025.