

By: Hickland

H. B. No. 4447

A BILL TO BE ENTITLED

# 1 AN ACT

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

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

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

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

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

24 (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.