

By: Flores, King

S.B. No. 2586

A BILL TO BE ENTITLED

AN ACT

relating to information that a property owners' association must file with the Texas Real Estate Commission.

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 property owners' association's dedicatory instruments; and

(2) the enforcement policy required under Section 209.0061, as applicable.

(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) Except as provided under Subsection (e), a property owners' association and its officers, directors, employees, and

1 agents are not subject to liability to any person for a delay in  
2 electronically filing or failure to electronically file the  
3 information required under Subsection (b) with the commission,  
4 unless the delay or failure is wilful or caused by gross negligence.

5 (e) If a property owners' association fails to file the  
6 information required under Subsection (b), an owner is not liable  
7 to the property owners' association for any assessments, fines, or  
8 fees levied against the owner by the association during the period  
9 the information is not electronically filed with the commission as  
10 required under Subsection (b).

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

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

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