

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
FOR  
5 HOUSE BILL NO. 2800

By: Marti of the House

6                   and

7                   Seifried of the Senate

8

9                   COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

23 All entities tasked with managing an owners association shall  
24 disclose individual fees assessed by an owners association or a

1 third-party management company and the limit on each individual fee  
2 shall be no more than One Hundred Seventy-five Dollars (\$175.00).  
3 Fees shall not include any fines, assessments or services.

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

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

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

14 SECTION 5. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 857.5 of Title 60, unless there  
16 is created a duplication in numbering, reads as follows:

17 An owners association shall keep records with regard to the  
18 financial condition of the owners association, including audits, and  
19 records with regard to dues and any outstanding assessments or  
20 fines, to be updated at least quarterly. Upon written request by  
21 the owner or owners' authorized agent, an owners association shall  
22 issue a statement to the requesting party ensuring that a homeowner  
23 is in good standing with regard to dues and any outstanding  
24 assessments or fines. Said statement shall be provided to the

1 requesting owner or owners' authorized agent within seven (7) days  
2 of request and shall not be accompanied by charges in excess of  
3 Fifty Dollars (\$50.00) for each completed request.

4 SECTION 6. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 857.6 of Title 60, unless there  
6 is created a duplication in numbering, reads as follows:

7 Owner associations or managing entities of owners associations  
8 shall delineate in documents for the association the fee structure  
9 surrounding operation of the owners association and any potential  
10 charges to homeowners arising therefrom.

11 SECTION 7. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 857.7 of Title 60, unless there  
13 is created a duplication in numbering, reads as follows:

14 Owners associations or managing entities of homeowners  
15 associations shall delineate in documents for the association the  
16 schedule of fines for violations of the owners association's  
17 covenants, conditions, and restrictions. Updates to fine structures  
18 shall not occur more than once per calendar year at an annual owners  
19 association meeting. Owners shall be notified of such meetings  
20 under requirements set forth under Title 18 of the Oklahoma  
21 Statutes.

22 SECTION 8. AMENDATORY 60 O.S. 2021, Section 857, is  
23 amended to read as follows:

1           Section 857. ~~A copy Copies or a certified copy copies~~ of all  
2 the recorded covenants and restrictions of a real estate  
3 development, including any recorded amendments and addendums to  
4 these documents, that are referenced in the commitment for title  
5 insurance shall be provided by the ~~title company~~ settlement services  
6 provider closing the sale to the buyer of property in the real  
7 estate development as a part of the closing of the real estate sale.  
8 The buyer may be charged no more than Twenty-five Dollars (\$25.00)  
9 for the ~~copy, and the copy~~ copies. In the event that certified  
10 copies are requested, a settlement services provider may also charge  
11 the cost incurred for obtaining said copies from the county clerk.  
12 The copies shall either be provided prior to or at the time of  
13 closing either by mail to the buyer's last-known address, hand-  
14 delivered or electronically delivered.

15           SECTION 9. This act shall become effective November 1, 2025.  
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17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended.  
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