

1-1 By: Flores S.B. No. 2586
1-2 (In the Senate - Filed March 13, 2025; April 3, 2025, read
1-3 first time and referred to Committee on Business & Commerce;
1-4 May 5, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 11, Nays 0; May 5, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Schwertner	X			
1-10	King	X			
1-11	Blanco	X			
1-12	Campbell	X			
1-13	Creighton	X			
1-14	Johnson	X			
1-15	Kolkhorst	X			
1-16	Menéndez	X			
1-17	Middleton	X			
1-18	Nichols	X			
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 2586 By: King

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to information that a property owners' association must
1-24 file with the Texas Real Estate Commission.
1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-26 SECTION 1. Chapter 209, Property Code, is amended by adding
1-27 Section 209.00405 to read as follows:
1-28 Sec. 209.00405. INFORMATION TO BE FILED WITH TEXAS REAL
1-29 ESTATE COMMISSION. (a) In this section, "commission" means the
1-30 Texas Real Estate Commission.
1-31 (b) Not later than the seventh day after the date a property
1-32 owners' association files a management certificate for recording
1-33 under Section 209.004(a) or files an amended management certificate
1-34 for recording under Section 209.004(b), the property owners'
1-35 association shall electronically file the following information
1-36 with the commission:
1-37 (1) the property owners' association's dedicatory
1-38 instruments; and
1-39 (2) the enforcement policy required under Section
1-40 209.0061, as applicable.
1-41 (c) The commission shall only collect the information
1-42 required under Subsection (b) for the purpose of making the data
1-43 accessible to the general public through an Internet website.
1-44 (d) Except as provided under Subsection (e), a property
1-45 owners' association and its officers, directors, employees, and
1-46 agents are not subject to liability to any person for a delay in
1-47 electronically filing or failure to electronically file the
1-48 information required under Subsection (b) with the commission,
1-49 unless the delay or failure is wilful or caused by gross negligence.
1-50 (e) If a property owners' association fails to file the
1-51 information required under Subsection (b), an owner is not liable
1-52 to the property owners' association for any assessments, fines, or
1-53 fees levied against the owner by the association during the period
1-54 the information is not electronically filed with the commission as
1-55 required under Subsection (b).
1-56 SECTION 2. (a) Not later than December 1, 2025, the Texas
1-57 Real Estate Commission shall establish and make available the
1-58 system necessary for the electronic filing of the information
1-59 required under Section 209.00405(b), Property Code, as added by
1-60 this Act.

2-1 (b) Notwithstanding Section 209.00405(b), Property Code, as
2-2 added by this Act, a property owners' association that has on or
2-3 before December 1, 2025, recorded a management certificate or
2-4 amended management certificate with a county clerk under Section
2-5 209.004, Property Code, shall electronically file the information
2-6 required by Section 209.00405(b), Property Code, with the Texas
2-7 Real Estate Commission not later than June 1, 2026.
2-8 SECTION 3. This Act takes effect September 1, 2025.

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