

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1614</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>6030</b>
<b>Author:</b>	<b>Rep. Worthen</b>
<b>Date:</b>	<b>2/13/2023</b>
<b>Impact:</b>	<b>SoS: -\$111,600</b>

**State Budget: \$0 – See analysis below**

**Research Analysis**

HB1614, as introduced, establishes a process for members of an owners association, or a designee of the member, to make a request to inspect the books and records of the owners association. The request must be made in writing and sent by certified mail. An owners association must fulfill the request within 10 business days or provide written notice to the requester that allows for the records review to occur no later than 15 days of receiving the request. An owners association also must adopt a records production and copying policy that outlines the cost the association will charge for compiling and processing a records request. Any association member who is denied access to records may file a petition in district court for relief.

The measure also requires all owners association to provide the Secretary of State (SOS) with the following information, which will be posted and searchable on the SOS's website:

- copies of the instrument establishing the owners association;
- copies of the association bylaws;
- copies of the association covenants, conditions and restrictions (CCRs); and
- contact information for the association's agent, president or management company.

Prepared By: Quyen Do

**Fiscal Analysis**

This measure amends current statute by adding a provision that requires owners associations to provide certain records and instruments to the Secretary of State (SoS). Officials from the SoS office have estimated the cost to implement requirements of HB1614 at approximately \$111,600. This would include creating the internal and online filing process and the dedicated search platform. The Secretary of State's office does not receive legislative appropriations; therefore, the agency is expected to absorb such costs within existing agency resources. No additional need for appropriations is anticipated for FY-24 as a result of the provisions of this measure.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.

