

By: Lucio III

H.B. No. 2719

A BILL TO BE ENTITLED

AN ACT

relating to indemnification clauses in commercial leases.

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

SECTION 1. Chapter 93, Property Code, is amended by adding Section 93.0125 to read as follows:

Sec. 93.0125. INDEMNIFICATION CLAUSE PROHIBITED. (a) A commercial lease may not contain an indemnification clause that requires the tenant to indemnify or hold harmless the landlord from claims or liabilities resulting from the negligent acts or omissions of the tenant.

(b) An indemnification clause in a commercial lease is void.

SECTION 2. The change in law made by this Act applies only to a commercial lease entered into or renewed on or after the effective date of this Act. A commercial lease entered into or renewed before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2021.