

By: Guerra

H.B. No. 1496

A BILL TO BE ENTITLED

AN ACT

relating to requiring the disclosure of taxes and fees charged for the short-term rental of residential property.

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

SECTION 1. The heading to Subtitle B, Title 5, Business & Commerce Code, is amended to read as follows:

SUBTITLE B. RENTAL PRACTICES AND SERVICES

SECTION 2. Subtitle B, Title 5, Business & Commerce Code, is amended by adding Chapter 95 to read as follows:

CHAPTER 95. DISCLOSURE OF TAXES AND FEES FOR SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY

Sec. 95.001. DEFINITIONS. In this chapter:

(1) "Short-term rental" means a residential property that is rented wholly or partly for a fee for a period not longer than 30 consecutive days.

(2) "Short-term rental listing service" means a person who facilitates, including by listing short-term rentals on an Internet website or mobile application, the rental of a short-term rental.

Sec. 95.002. DISCLOSURE OF TAXES AND FEES; PROHIBITED FEES.

(a) A person that facilitates the rental of a short-term rental in this state, including a short-term rental listing service, must disclose all taxes and fees charged in connection with the short-term rental. Taxes and fees for short-term rentals made

1 available for rent by a short-term rental listing service must be
2 posted on the Internet website or mobile application of the listing
3 service in a location easily accessible by customers or potential
4 customers.

5 (b) A person that facilitates the rental of a short-term
6 rental in this state, including a short-term rental listing
7 service, may not charge fees, except a cleaning fee, in connection
8 with the rental of a short-term rental that in total exceed 10
9 percent of the price of the short-term rental before applicable
10 taxes and fees.

11 SECTION 3. This Act takes effect September 1, 2023.