

By: Zwiener

H.B. No. 2968

A BILL TO BE ENTITLED

AN ACT

relating to the interruption of utility service by a residential landlord.

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

SECTION 1. Section 92.008, Property Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f) If a landlord or a landlord's agent violates this section, the tenant may:

(1) either recover possession of the premises or terminate the lease; and

(2) in addition to other remedies available under law, recover from the landlord an amount equal to the sum of the tenant's actual damages, the tenant's security deposit, one month's rent plus \$1,000, reasonable attorney's fees, and court costs [~~, less any delinquent rents or other sums for which the tenant is liable to the landlord~~].

(f-1) A landlord who violates this section may not collect delinquent rent from a tenant.

SECTION 2. The change in law made by this Act applies only to violation that occurs on or after the effective date of this Act. A violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose.

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