

By: Manuel

H.B. No. 3536

A BILL TO BE ENTITLED

AN ACT

relating to a commercial landlord's remedies regarding certain unlawful activities on the premises of commercial rental property.

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

SECTION 1. Section 93.013(a), Property Code, is amended to read as follows:

(a) Notwithstanding a provision in a lease to the contrary, a tenant's right of possession terminates and the landlord has a right to recover possession of the leased premises if the tenant is using the premises or allowing the premises to be used for the purposes of:

(1) prostitution as described by Section 43.02, Penal Code, solicitation of prostitution as described by Section 43.021, Penal Code, promotion of prostitution as described by Section 43.03, Penal Code, aggravated promotion of prostitution as described by Section 43.04, Penal Code, or compelling prostitution as described by Section 43.05, Penal Code;

(2) [~~7-04~~] trafficking of persons as described by Section 20A.02, Penal Code; or

(3) operating, maintaining, or advertising a massage establishment, as defined by Section 455.001, Occupations Code, that is not in compliance with:

(A) Chapter 455, Occupations Code; or

(B) an applicable local ordinance relating to the

1 licensing or regulation of a massage establishment.

2           SECTION 2. The changes in law made by this Act apply only to  
3 a commercial lease that is entered into or renewed on or after the  
4 effective date of this Act. A commercial lease that is entered into  
5 or renewed before the effective date of this Act is governed by the  
6 law applicable to the lease immediately before the effective date  
7 of this Act, and that law is continued in effect for that purpose.

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