

By: Walle

H.B. No. 3625

A BILL TO BE ENTITLED

AN ACT

relating to notice requirements for a leased dwelling located in a floodplain.

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

SECTION 1. Section 92.0135, Property Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), a [A] landlord shall provide to a tenant a written notice substantially equivalent to the following:

"(Landlord) () is or () is not aware that the dwelling you are renting is located in a 100-year floodplain. If neither box is checked, you should assume the dwelling is in a 100-year floodplain. Even if the dwelling is not in a 100-year floodplain, the dwelling may still be susceptible to flooding. The Federal Emergency Management Agency (FEMA) maintains a flood map on its Internet website that is searchable by address, at no cost, to determine if a dwelling is located in a flood hazard area. Most tenant insurance policies do not cover damages or loss incurred in a flood. You should seek insurance coverage that would cover losses caused by a flood."

(b-1) Notice under Subsection (b) is not required for a tenant under:

(1) a lease with a term of less than 30 days; or

1 (2) a temporary residential tenancy created by a
2 contract for sale in which the buyer occupies the property before
3 closing or the seller occupies the property after closing for a
4 specific term not greater than 90 days.

5 SECTION 2. Section [92.0135\(b-1\)](#), Property Code, as added by
6 this Act, applies only to a lease agreement entered into or renewed
7 on or after the effective date of this Act.

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