

By: Walle

H.B. No. 3625

A BILL TO BE ENTITLED

1 AN ACT
2 relating to notice requirements for a leased dwelling located in a
3 floodplain.

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

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

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

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

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

24 (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.