

By: Reynolds

H.B. No. 3664

A BILL TO BE ENTITLED

AN ACT

relating to removal of certain eviction case information from credit reports.

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

SECTION 1. Chapter 24, Property Code, is amended by adding Section 24.012 to read as follows:

Sec. 24.012. REMOVAL OF CERTAIN EVICTION CASE INFORMATION FROM CREDIT REPORT. (a) In this section:

(1) "Consumer reporting agency" has the meaning assigned by Section 20.01, Business & Commerce Code.

(2) "Eviction case" means a lawsuit brought under this chapter to recover possession of leased or rented residential real property from a tenant.

(3) "Eviction case information" means all records and files related to a filing of an eviction case, including petitions and dispositions.

(b) This section applies only to a residential tenant who:

(1) was the defendant in an eviction case in which a judgment was entered for the plaintiff;

(2) after entry of the judgment in the eviction case:

(A) paid all money owed to the plaintiff; and

(B) executed a new lease agreement with the landlord who was the plaintiff in the eviction case; and

(3) is not in default under the lease agreement

1 described in Subdivision (2).

2 (c) A residential tenant may submit to a consumer reporting
3 agency a written request to have the eviction case information
4 pertaining to an eviction case described by Subsection (b) removed
5 from the tenant's credit report.

6 (d) Unless required by federal law, a consumer reporting
7 agency that receives a written request under Subsection (c):

8 (1) may not use the eviction case information that is
9 the subject of the written request in a credit report; and

10 (2) not later than the 90th day after the date the
11 consumer reporting agency receives the request, shall remove the
12 eviction case information that is the subject of the request from
13 any credit report created or maintained by the consumer reporting
14 agency.

15 SECTION 2. This Act takes effect September 1, 2023.