

By: Creighton

S.B. No. 986

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a local government to regulate evictions.

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

SECTION 1. Chapter 24, Property Code, is amended by adding Section 24.0041 to read as follows:

Sec. 24.0041. AUTHORITY OF LOCAL GOVERNMENTS TO REGULATE EVICTIONS. Notwithstanding any other law, a municipality or county may not adopt or enforce an ordinance, order, or other measure that:

(1) prohibits, restricts, or delays:

(A) delivery of a notice to vacate; or

(B) filing of a suit to recover possession of the premises under this chapter; or

(2) otherwise relates to an eviction suit under this chapter.

SECTION 2. Section 24.005(e), Property Code, is amended to read as follows:

(e) If the lease or applicable federal law requires the landlord to give a tenant an opportunity to respond to a notice of proposed eviction, a notice to vacate may not be given until the period provided for the tenant to respond to the eviction notice has expired.

SECTION 3. The changes in law made by this Act apply only to an eviction suit in which the notice to vacate is given on or after

1 the effective date of this Act. An eviction suit in which the
2 notice to vacate is given before the effective date of this Act is
3 governed by the law as it existed immediately before the effective
4 date of this Act, and that law is continued in effect for that
5 purpose.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2023.