

By: Jones of Dallas

H.B. No. 636

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting housing discrimination against certain persons convicted of a nonviolent criminal offense.

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

SECTION 1. Subchapter B, Chapter 301, Property Code, is amended by adding Section 301.028 to read as follows:

Sec. 301.028. CRIMINAL CONVICTION. (a) In this section, "nonviolent criminal activity" means criminal activity that does not have as any of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

(b) A person may not refuse to rent, after the making of a bona fide offer, refuse to negotiate for the rental of, or in any other manner make unavailable or deny a dwelling to another because of a conviction for nonviolent criminal activity.

(c) A person may not discriminate against another in the terms, conditions, or privileges of a rental of a dwelling or in providing services or facilities in connection with a rental of a dwelling because of a conviction for nonviolent criminal activity.

(d) Notwithstanding Subsection (b) or (c), this section does not prohibit discrimination against a person because the person:

(1) has been convicted under federal law or the law of

1 any state of the illegal manufacture or distribution of a
2 controlled substance; or

3 (2) is required to register as a sex offender under
4 Chapter 62, Code of Criminal Procedure.

5 SECTION 2. This Act takes effect September 1, 2003, and
6 applies only to a complaint filed with the Commission on Human
7 Rights on or after that date. A complaint filed before that date is
8 governed by the law in effect on the date the complaint was filed,
9 and the former law is continued in effect for that purpose.