

By: Uresti

H.B. No. 3190

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the refund or retention by a landlord of a security
3 deposit under a commercial lease.

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

5 SECTION 1. Section 93.005(a), Property Code, is amended to
6 read as follows:

7 (a) The landlord shall refund the security deposit to the
8 tenant not later than the 60th day after the date the tenant
9 surrenders the premises and provides notice to the landlord or the
10 landlord's agent of the tenant's forwarding address under Section
11 93.009.

12 SECTION 2. Section 93.011(d), Property Code, is amended to
13 read as follows:

14 (d) A landlord who fails to return a security deposit or to
15 provide a written description and itemized list of deductions on or
16 before the 60th [~~30th~~] day after the date the tenant surrenders
17 possession is presumed to have acted in bad faith.

18 SECTION 3. This Act applies only to a lease of commercial
19 rental property entered into or renewed on or after the effective
20 date of this Act. A lease of commercial rental property entered
21 into or renewed before the effective date of this Act is governed by
22 the law in effect on the date the lease was entered into or renewed,
23 and the former law is continued in effect for that purpose.

24 SECTION 4. This Act takes effect September 1, 2003.