

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 15, 2003

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB3190 by Uresti (Relating to the refund or retention by a landlord of a security deposit under a commercial lease.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill amends Sections 93.005(a) and 93.011(d) of the Property Code relating to the refund or retention by a landlord of a security deposit under a commercial lease. Section 93.005(a) specifies a commercial lease landlord shall refund the security deposit to the tenant not later than the 60th day after the date the tenant surrenders the premises and provides notice to the landlord or the landlord's agent of the tenant's forwarding address. Section 93.011(d) requires a landlord to return a security deposit or to provide a written description and itemized list of deductions on or before the 60th day after the date the tenant surrenders possession and the landlord is presumed to have acted in bad faith for failure to return the security deposit. The act applies only to commercial rental property leases entered into or renewed on or after September 1, 2003. The Act takes effect September 1, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JK, JRO, BL