

By: Goolsby

H.B. No. 1578

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a landlord to charge a tenant to rekey security devices in certain circumstances.

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

SECTION 1. Section 92.162, Property Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) A landlord may not require a tenant to pay for repair or replacement of a security device due to normal wear and tear. A landlord may not require a tenant to pay for other repairs or replacements of a security device except as provided by Subsections (b), (c), ~~and~~ (d), and (f).

(f) A landlord may rekey a security device at the tenant's expense if:

- (1) the tenant is in default under a written lease;
- (2) the tenant has vacated the leased premises; and
- (3) the lease authorizes the landlord to charge the tenant to rekey a security device if the tenant is in default under the lease.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.