

By: Laubenberg

H.B. No. 2558

A BILL TO BE ENTITLED

AN ACT

relating to a notice of intent to terminate a residential lease.

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

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.016 to read as follows:

Sec. 92.016. NOTICE OF TERMINATION. (a) On and after the 30th day before the date a tenant's lease expires, a landlord may not require the tenant to provide more than 30 days' notice of intent to vacate the premises.

(b) If on or before the date a lease expires the tenant provides notice to the landlord that the tenant intends to vacate the premises on or before the 30th day after the date the lease expires, the landlord may not charge the tenant for the period of occupancy specified in the notice that is after the expiration of the lease at a rental rate that exceeds the rate under the lease.

(c) The provisions of this section may not be waived by contract.

SECTION 2. The change in law made by this Act applies only to a lease entered into or renewed on or after the effective date of this Act. A lease entered into or renewed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.