

1-1 By: Bailey, et al. (Senate Sponsor - Gallegos) H.B. No. 177
1-2 (In the Senate - Received from the House April 10, 2007;
1-3 April 11, 2007, read first time and referred to Committee on
1-4 Business and Commerce; May 17, 2007, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 17, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to provision of hot water service to residential rental
1-9 units.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 92.052(a), Property Code, is amended to
1-12 read as follows:

1-13 (a) A landlord shall make a diligent effort to repair or
1-14 remedy a condition if:

1-15 (1) the tenant specifies the condition in a notice to
1-16 the person to whom or to the place where rent is normally paid;

1-17 (2) the tenant is not delinquent in the payment of rent
1-18 at the time notice is given; and

1-19 (3) the condition:

1-20 (A) materially affects the physical health or
1-21 safety of an ordinary tenant; or

1-22 (B) arises from the landlord's failure to provide
1-23 and maintain in good operating condition a device to supply hot
1-24 water of a minimum temperature of 120 degrees Fahrenheit.

1-25 SECTION 2. The change in law made by this Act to Section
1-26 92.052, Property Code, applies only to a notice under that section
1-27 that is made on or after the effective date of this Act. A notice
1-28 under that section made before the effective date of this Act is
1-29 governed by the law in effect immediately before that date, and that
1-30 law is continued in effect for that purpose.

1-31 SECTION 3. This Act takes effect September 1, 2007.

1-32 * * * * *