

By: West

S.B. No. 1398

Substitute the following for S.B. No. 1398:

By: Leibowitz

C.S.S.B. No. 1398

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the requirement by a municipality of a license or permit
3 to occupy or lease a dwelling unit.

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

5 SECTION 1. Subchapter Z, Chapter 214, Local Government
6 Code, is amended by adding Section 214.907 to read as follows:

7 Sec. 214.907. LIMITATION ON MUNICIPAL REQUIREMENTS OF
8 LICENSE OR PERMIT TO OCCUPY DWELLING UNIT. A municipality may not
9 require a tenant to acquire a license or permit issued by the
10 municipality as a condition for occupying or leasing an individual
11 dwelling unit in a single-family, duplex, or multifamily structure.
12 This section does not prohibit a municipality from requiring a
13 license or permit relating to the nonresidential use or the
14 condition of a dwelling unit.

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2009.