

1-1 By: West S.B. No. 1398  
1-2 (In the Senate - Filed March 5, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; March 30, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;  
1-6 March 30, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1398 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the requirement by a municipality of a license or permit  
1-11 to occupy or lease a dwelling unit.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter Z, Chapter 214, Local Government  
1-14 Code, is amended by adding Section 214.907 to read as follows:

1-15 Sec. 214.907. LIMITATION ON MUNICIPAL REQUIREMENTS OF  
1-16 LICENSE OR PERMIT TO OCCUPY DWELLING UNIT. A municipality may not  
1-17 require a tenant to acquire a license or permit issued by the  
1-18 municipality as a condition for occupying or leasing an individual  
1-19 dwelling unit in a single-family, duplex, or multifamily structure.

1-20 SECTION 2. This Act takes effect immediately if it receives  
1-21 a vote of two-thirds of all the members elected to each house, as  
1-22 provided by Section 39, Article III, Texas Constitution. If this  
1-23 Act does not receive the vote necessary for immediate effect, this  
1-24 Act takes effect September 1, 2009.

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