

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1120
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Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many people are impacted in a natural disaster, including apartment/rental residents.

After a natural disaster, an apartment or property management company often relocates a resident to another unit if the unit the tenant is renting is uninhabitable.

After a recent natural disaster, the April 3, 2012, tornado in Lancaster, Texas, an apartment management company tried to require impacted residents to sign new leases at a term longer than that of their existing lease term before they would relocate them.

This bill prohibits an apartment or property management company from requiring a displaced resident to sign a new lease at a term longer than the existing lease term before relocating the resident to a habitable unit.

C.S.S.B. 1120 amends current law relating to a residential tenant's lease obligation after the loss of the leased premises resulting from a natural disaster.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 92, Property Code, by adding Section 92.062, as follows:

Sec. 92.062. LEASE TERM AFTER NATURAL DISASTER. Prohibits a landlord that allows a tenant to move to another rental unit owned by the landlord, if a rental premises is, as a practical matter, totally unusable for residential purposes as a result of a natural disaster such as a hurricane, tornado, flood, extended freeze, or widespread windstorm, from requiring the tenant to execute a lease for a term longer than the term remaining on the tenant's lease on the date the premises was rendered unusable as a result of the natural disaster.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: January 1, 2014.