

By: Thompson of Harris

H.B. No. 3079

A BILL TO BE ENTITLED

AN ACT

relating to limiting the liability of landlords who rent or lease dwellings to persons with criminal records.

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

SECTION 1. Chapter 92, Subchapter H, Texas Property Code is amended by adding Section 92.356 to read as follows:

Sec. 92.001 (1). LIMITATION ON LIABILITY FOR RENTING OR LEASING TO TENANT CONVICTED OF OFFENSE. (a) A cause of action may not be brought against a landlord solely for renting or leasing a dwelling, based on evidence that the tenant has been convicted of an offense.

(b) This section does not preclude a cause of action for negligent renting or leasing by a landlord of a dwelling to a tenant, if:

(1) the landlord knew or should have known of the conviction; and

(2) the tenant was convicted of:

(A) an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or

(B) a sexually violent offense, as defined by Article 62.001, Code of Criminal Procedure.

(c) This section does not create a cause of action or expand an existing cause of action.

SECTION 2. Sec. 92.001 (1), as added by this Act, applies

1 only to a cause of action that accrues on or after the effective
2 date of this Act. A cause of action that accrues before the
3 effective date of this Act is governed by the law in effect
4 immediately before that date, and the former law is continued in
5 effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2013.