

By: Naishtat

H.B. No. 3667

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain obligations of and limitations on residential  
3 landlords.

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

5 SECTION 1. Subchapter A, Chapter 92, Property Code, is  
6 amended by adding Section 92.024 to read as follows:

7 Sec. 92.024. LANDLORD'S DUTY TO PROVIDE COPY OF LEASE. (a)  
8 Not later than the third business day after the date the lease is  
9 signed by each party to the lease, a landlord shall provide at least  
10 one copy of the lease to at least one tenant who is a party to the  
11 lease.

12 (b) If more than one tenant is a party to the lease, not  
13 later than the third business day after the date a landlord receives  
14 a written request for a copy of a lease from a tenant who has not  
15 received a copy of the lease under Subsection (a), the landlord  
16 shall provide one copy of the lease to the requesting tenant.

17 (c) A landlord who fails to comply with Subsection (a) or  
18 (b) may not bring an action to enforce a lease provision, other than  
19 an action based on nonpayment of rent, unless the landlord, before  
20 bringing an action:

21 (1) provides the tenant with a copy of the lease and  
22 notice of the alleged violation; and

23 (2) provides a reasonable period for the tenant to  
24 cure the alleged violation.

1 SECTION 2. Section 92.331(a), Property Code, is amended to  
2 read as follows:

3 (a) A landlord may not retaliate against a tenant by taking  
4 an action described by Subsection (b) because the tenant:

5 (1) in good faith exercises or attempts to exercise  
6 against a landlord a right or remedy granted to the tenant by lease,  
7 municipal ordinance, or federal or state statute;

8 (2) gives a landlord a notice to repair or exercise a  
9 remedy under this chapter; ~~or~~

10 (3) complains to a governmental entity responsible for  
11 enforcing building or housing codes, a public utility, or a civic or  
12 nonprofit agency, and the tenant:

13 (A) claims a building or housing code violation  
14 or utility problem; and

15 (B) believes in good faith that the complaint is  
16 valid and that the violation or problem occurred; or

17 (4) establishes, attempts to establish, or  
18 participates in a tenant organization.

19 SECTION 3. The changes in law made by Section 92.024,  
20 Property Code, as added by this Act, apply only to a lease the  
21 effective date of which is on or after the effective date of this  
22 Act. A lease the effective date of which is before the effective  
23 date of this Act is governed by the law as it existed immediately  
24 before the effective date of this Act, and that law is continued in  
25 effect for that purpose.

26 SECTION 4. This Act takes effect January 1, 2014.