

By: Carona, et al.
(Naishtat)

S.B. No. 630

A BILL TO BE ENTITLED

AN ACT

relating to certain obligations of and limitations on residential
landlords.

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

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

Sec. 92.024. LANDLORD'S DUTY TO PROVIDE COPY OF LEASE.

(a) Not later than the third business day after the date the lease
is signed by each party to the lease, a landlord shall provide at
least one complete copy of the lease to at least one tenant who is a
party to the lease.

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

(c) A landlord's failure to provide a complete copy of the
lease as described by Subsection (a) or (b) does not invalidate the
lease or, subject to Subsection (d), prevent the landlord from
prosecuting or defending a legal action or proceeding to enforce
the lease.

(d) A landlord may not continue to prosecute and a court
shall abate an action to enforce the lease, other than an action for

1 nonpayment of rent, only until the landlord provides to a tenant a
2 complete copy of the lease if the tenant submits to the court
3 evidence in a plea in abatement or otherwise that the landlord
4 failed to comply with Subsection (a) or (b).

5 (e) A landlord may comply with this section by providing to
6 a tenant a complete copy of the lease:

7 (1) in a paper format;

8 (2) in an electronic format if requested by the
9 tenant; or

10 (3) by e-mail if the parties have communicated by
11 e-mail regarding the lease.

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

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

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

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

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

24 (A) claims a building or housing code violation
25 or utility problem; and

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

1 (4) establishes, attempts to establish, or
2 participates in a tenant organization.

3 SECTION 3. The changes in law made by Section 92.024,
4 Property Code, as added by this Act, apply only to a lease the
5 effective date of which is on or after the effective date of this
6 Act. A lease the effective date of which is before the effective
7 date of this Act is governed by the law as it existed immediately
8 before the effective date of this Act, and that law is continued in
9 effect for that purpose.

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