

1-1 By: Carona S.B. No. 630
1-2 (In the Senate - Filed February 18, 2013; February 25, 2013,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 March 21, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 1; March 21, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Carona	X		
1-10	Taylor	X		
1-11	Eltife	X		
1-12	Estes		X	
1-13	Hancock	X		
1-14	Lucio	X		
1-15	Van de Putte	X		
1-16	Watson	X		
1-17	Whitmire	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 630 By: Carona

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to certain obligations of and limitations on residential
1-22 landlords.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter A, Chapter 92, Property Code, is
1-25 amended by adding Section 92.024 to read as follows:

1-26 Sec. 92.024. LANDLORD'S DUTY TO PROVIDE COPY OF LEASE.

1-27 (a) Not later than the third business day after the date the lease
1-28 is signed by each party to the lease, a landlord shall provide at
1-29 least one complete copy of the lease to at least one tenant who is a
1-30 party to the lease.

1-31 (b) If more than one tenant is a party to the lease, not
1-32 later than the third business day after the date a landlord receives
1-33 a written request for a copy of a lease from a tenant who has not
1-34 received a copy of the lease under Subsection (a), the landlord
1-35 shall provide one complete copy of the lease to the requesting
1-36 tenant.

1-37 (c) A landlord's failure to provide a complete copy of the
1-38 lease as described by Subsection (a) or (b) does not invalidate the
1-39 lease or, subject to Subsection (d), prevent the landlord from
1-40 prosecuting or defending a legal action or proceeding to enforce
1-41 the lease.

1-42 (d) A landlord may not continue to prosecute and a court
1-43 shall abate an action to enforce the lease, other than an action for
1-44 nonpayment of rent, only until the landlord provides to a tenant a
1-45 complete copy of the lease if the tenant submits to the court
1-46 evidence in a plea in abatement or otherwise that the landlord
1-47 failed to comply with Subsection (a) or (b).

1-48 (e) A landlord may comply with this section by providing to
1-49 a tenant a complete copy of the lease:

1-50 (1) in a paper format;

1-51 (2) in an electronic format if requested by the
1-52 tenant; or

1-53 (3) by e-mail if the parties have communicated by
1-54 e-mail regarding the lease.

1-55 SECTION 2. Subsection (a), Section 92.331, Property Code,
1-56 is amended to read as follows:

1-57 (a) A landlord may not retaliate against a tenant by taking
1-58 an action described by Subsection (b) because the tenant:

1-59 (1) in good faith exercises or attempts to exercise
1-60 against a landlord a right or remedy granted to the tenant by lease,

2-1 municipal ordinance, or federal or state statute;
2-2 (2) gives a landlord a notice to repair or exercise a
2-3 remedy under this chapter; ~~or~~

2-4 (3) complains to a governmental entity responsible for
2-5 enforcing building or housing codes, a public utility, or a civic or
2-6 nonprofit agency, and the tenant:

2-7 (A) claims a building or housing code violation
2-8 or utility problem; and

2-9 (B) believes in good faith that the complaint is
2-10 valid and that the violation or problem occurred; or

2-11 (4) establishes, attempts to establish, or
2-12 participates in a tenant organization.

2-13 SECTION 3. The changes in law made by Section 92.024,
2-14 Property Code, as added by this Act, apply only to a lease the
2-15 effective date of which is on or after the effective date of this
2-16 Act. A lease the effective date of which is before the effective
2-17 date of this Act is governed by the law as it existed immediately
2-18 before the effective date of this Act, and that law is continued in
2-19 effect for that purpose.

2-20 SECTION 4. This Act takes effect January 1, 2014.

2-21 * * * * *