

By: Anderson of Dallas

H.B. No. 2404

A BILL TO BE ENTITLED

AN ACT

relating to certain security devices for residential tenancies.

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

SECTION 1. Section 92.151(2), Property Code, is amended to read as follows:

(2) "Door viewer" means a permanently installed device in or immediately adjacent to an exterior door that allows a person inside the dwelling to view a person outside the door. The device must be:

(A) a clear glass pane or one-way mirror; or

(B) a peephole in an exterior door having a barrel with a one-way lens of glass or other substance providing an angle view of not less than 160 degrees.

SECTION 2. Section 92.153(a), Property Code, is amended to read as follows:

(a) Except as provided by Subsections (b), (e), (f), (g), and (h) and without necessity of request by the tenant, a dwelling must be equipped with:

(1) a window latch on each exterior window of the dwelling;

(2) a doorknob lock or keyed dead bolt on each exterior door;

(3) a sliding door pin lock on each exterior sliding glass door of the dwelling;

1 (4) a sliding door handle latch or a sliding door
2 security bar on each exterior sliding glass door of the dwelling;
3 ~~[and]~~

4 (5) a keyless bolting device ~~[and a door viewer]~~ on
5 each exterior door of the dwelling; and

6 (6) a door viewer in or immediately adjacent to each
7 exterior door of the dwelling.

8 SECTION 3. Section 92.156, Property Code, is amended to
9 read as follows:

10 Sec. 92.156. REKEYING OR CHANGE OF SECURITY DEVICES. (a)
11 Except as otherwise provided in Subsection (e), [A] a security
12 device operated by a key, card, or combination shall be rekeyed by
13 the landlord at the landlord's expense not later than the seventh
14 day after each tenant turnover date.

15 (b) A landlord shall perform additional rekeying or change a
16 security device at the tenant's expense if requested by the tenant.
17 A tenant may make an unlimited number of requests under this
18 subsection.

19 (c) The expense of rekeying security devices for purposes of
20 the use or change of the landlord's master key must be paid by the
21 landlord.

22 (d) This section does not apply to locks on closet doors or
23 other interior doors.

24 (e) In the event a tenant breaches a written lease, a
25 landlord may deduct reasonable costs to rekey certain security
26 devices as required by this section, from the tenant's security
27 deposit, only if a written lease authorizes the landlord to do so in

1 underlined or boldface print.

2 SECTION 4. Section 92.157(a), Property Code, is amended to
3 read as follows:

4 (a) At a tenant's request made at any time, a landlord, at
5 the tenant's expense, shall install:

6 (1) a keyed dead bolt on an exterior door if the door
7 has:

8 (A) a doorknob lock but not a keyed dead bolt; or

9 (B) a keyless bolting device but not a keyed dead
10 bolt or doorknob lock; and

11 (2) a sliding door [~~pin-lock~~] handle latch or sliding
12 door security bar if the door is an exterior sliding glass door
13 without a sliding door [~~pin-lock~~] handle latch or sliding door
14 security bar.

15 SECTION 5. Section 92.1641, Property Code, is amended to
16 read as follows:

17 Sec. 92.1641. LANDLORD'S DEFENSES RELATING TO INSTALLING OR
18 REKEYING CERTAIN SECURITY DEVICES. The landlord has a defense to
19 liability under Section 92.164 if:

20 (1) the tenant has not fully paid all rent then due
21 from the tenant on the date the tenant gives a request under
22 Subsection [~~(a)~~] (c) of Section 92.157 or the notice required by
23 Section 92.164; or

24 (2) on the date the tenant terminates the lease or
25 files suit the tenant has not fully paid costs requested by the
26 landlord and authorized by Section 92.162.

27 SECTION 6. This Act takes effect September 1, 2015.