

By: Leach

H.B. No. 2489

Substitute the following for H.B. No. 2489:

By: Fletcher

C.S.H.B. No. 2489

A BILL TO BE ENTITLED

AN ACT

relating to regulation by a property owners' association of residential leases or rental agreements.

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

SECTION 1. Chapter 202, Property Code, is amended by adding Section 202.019 to read as follows:

Sec. 202.019. REGULATION OF RESIDENTIAL LEASES OR RENTAL AGREEMENTS. (a) A property owners' association may not adopt or enforce a provision in a dedicatory instrument that:

(1) in connection with the leasing or renting of a property owner's property, imposes a fee, charge, assessment, or fine or requires dues or any other contribution or payment to the association;

(2) requires a lease or rental applicant or a tenant to be reviewed or approved by the property owners' association; or

(3) requires a property owner, a lease or rental applicant, a tenant, or that person's agent to provide a copy of a document related to leasing or renting the property owner's property, including a lease or rental application, a lease or rental agreement, or a consumer or credit report.

(b) A provision that violates Subsection (a) is void.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2015.