

By: Leach

H.B. No. 2489

A BILL TO BE ENTITLED

AN ACT

relating to the ability of a property owners' association to enforce certain provisions on the lease or rental of real property.

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. (a) A property owners' association may not include or enforce a provision in a dedicatory instrument that:

(1) imposes dues, a fee, a charge, an assessment, a fine, a contribution, or another type of payment in connection with the rental or leasing of a property owner's property;

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

(3) requires a property owner, tenant, or rental applicant, or that person's agent, to provide copies of documents related to the rental or leasing of a property owner's property, in violation of any applicable state or federal laws. In this subsection, such documents include:

(A) a lease;

(B) a lease or rental application; or

(C) a consumer or credit report.

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

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2015.