

By: Anchia

H.B. No. 3072

A BILL TO BE ENTITLED

AN ACT

relating to responsibility of new owners of residential rental property for tenant security deposits.

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

SECTION 1. Section 92.105, Property Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) If the owner's interest in the premises is terminated by sale, assignment, death, appointment of a receiver, bankruptcy, or otherwise, the new owner is liable for the return of security deposits according to this subchapter from the date title to the premises is acquired ~~[, regardless of whether notice is given to the tenant under Subsection (b) of this section]~~.

(b) The ~~[person who no longer owns an interest in the rental premises remains liable for a security deposit received while the person was the owner until the]~~ new owner shall deliver ~~[delivers]~~ to the tenant a signed statement acknowledging that the new owner has acquired the property ~~[received]~~ and is responsible for the tenant's security deposit and specifying the exact dollar amount of the deposit.

(b-1) The person who no longer owns an interest in the rental premises is liable to the new owner for a security deposit received while the person was the owner until the new owner has received the deposit.

1 SECTION 2. The changes in law made by this Act apply only to
2 a security deposit received on or after the effective date of this
3 Act. A security deposit received before the effective date of this
4 Act is governed by the law applicable to the security deposit
5 immediately before that date, and the former law is continued in
6 effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2015.