

By: Garcia, Watson

S.B. No. 1473

A BILL TO BE ENTITLED

AN ACT

relating to liability of persons who lease dwellings to persons with criminal records.

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

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.025 to read as follows:

Sec. 92.025. LIABILITY FOR LEASING TO PERSON WITH CRIMINAL RECORD. (a) A cause of action does not accrue against a landlord solely for leasing a dwelling to a tenant, based on evidence that the tenant has been convicted of, or arrested or placed on deferred adjudication for, an offense.

(b) This section does not preclude a cause of action for negligent leasing of a dwelling by a landlord to a tenant, if:

(1) the tenant:

(A) was convicted of an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or

(B) has a reportable conviction or adjudication, as defined by Article 62.001, Code of Criminal Procedure; and

(2) the landlord knew or should have known of the conviction or adjudication.

(c) This section does not create a cause of action or expand an existing cause of action.

SECTION 2. Section 92.025, Property Code, as added by this Act, does not affect a cause of action that accrued before the

1 effective date of this Act. A cause of action that accrued before  
2 the effective date of this Act is governed by the law as it existed  
3 immediately before that date, and the former law is continued in  
4 effect for that purpose.

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