

SENATE AMENDMENTS

2nd Printing

By: Thompson of Harris

H.B. No. 1510

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 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 effective date of this Act. A cause of action that accrued before

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

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

ADOPTED

MAY 22 2015

Kathy Drew
Secretary of the Senate

H.B. No. 1510

By: Garcia

Substitute the following for H.B. No. 1510:

By: *Beardor Coehton*

C.S. H.B. No. 1510

A BILL TO BE ENTITLED

1 AN ACT
2 relating to liability of persons who lease dwellings to persons
3 with criminal records.

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

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

7 Sec. 92.025. LIABILITY FOR LEASING TO PERSON WITH CRIMINAL
8 RECORD. (a) A cause of action does not accrue against a landlord or
9 a landlord's manager or agent solely for leasing a dwelling to a
10 tenant convicted of, or arrested or placed on deferred adjudication
11 for, an offense.

12 (b) This section does not preclude a cause of action for
13 negligence in leasing of a dwelling by a landlord or a landlord's
14 manager or agent to a tenant, if:

15 (1) the tenant:

16 (A) was convicted of an offense listed in Section
17 3g, Article 42.12, Code of Criminal Procedure; or

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

20 (2) the person against whom the action is filed knew or
21 should have known of the conviction or adjudication.

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

24 SECTION 2. Section 92.025, Property Code, as added by this

1 Act, does not affect a cause of action that accrued before the
2 effective date of this Act. A cause of action that accrued before
3 the effective date of this Act is governed by the law as it existed
4 immediately before that date, and the former law is continued in
5 effect for that purpose.

6 SECTION 3. This Act takes effect January 1, 2016.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1510 by Thompson, Senfronia (Relating to liability of persons who lease dwellings to persons with criminal records.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, SD, AG, FR, TBo

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 19, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1510 by Thompson, Senfronia (Relating to liability of persons who lease dwellings to persons with criminal records.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, FR, TBo

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 7, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1510 by Thompson, Senfronia (Relating to liability of persons who lease dwellings to persons with criminal records.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, FR, TBo

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 23, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1510** by Thompson, Senfronia (Relating to liability of persons who lease dwellings to persons with criminal records.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, FR, TBo

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 10, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1510 by Thompson, Senfronia (Relating to liability of persons who lease dwellings to persons with criminal records.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: UP, FR, EP, TBo