

## **BILL ANALYSIS**

Senate Research Center  
85R3555 DMS-F

H.B. 1099  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, the Property Code prohibits landlords from prohibiting residential tenants the right to summon police or emergency assistance and impose monetary penalties on residential tenants who summon police or emergency assistance in response to family violence. The Property Code also prohibits landlords from including provisions in a lease to prohibit tenants from summoning police or emergency assistance in response to family violence. H.B. 1099 expands the protection of a tenant's rights from being based on summoning police or emergency assistance for family violence to being based on the tenant's belief that an individual is in need of intervention or emergency assistance.

H.B. 1099 seeks to ensure that all Texans have access to emergency assistance by prohibiting a landlord's ability to prevent or dissuade tenants from calling for emergency help.

H.B. 1099 amends current law relating to a residential tenant's right to summon police or other emergency assistance.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 92.015(a) and (b), Property Code, as follows:

(a) Prohibits a landlord from prohibiting or limiting a residential tenant's right to summon police or other emergency assistance based on the tenant's reasonable belief that an individual is in need of intervention or emergency assistance, rather than in response to family violence, or impose monetary or other penalties on a tenant who summons police or emergency assistance if the assistance was requested or dispatched based on the tenant's reasonable belief that an individual was in need of intervention or emergency assistance, rather than in response to family violence.

(b) Provides that a provision in a lease is void if the provision purports to waive a tenant's right to summon police or other emergency assistance based on the tenant's reasonable belief that an individual is in need of intervention or emergency assistance, rather than in response to family violence.

SECTION 2. Repealer: Section 92.015(e) (relating to the definition of "family violence"), Property Code.

SECTION 3. Makes application of Section 92.015, Property Code, as amended by this Act, prospective.

SECTION 4. Effective date: September 1, 2017.