

By: Canales

H.B. No. 1098

A BILL TO BE ENTITLED

AN ACT

relating to the amount of late fees that may be charged to certain tenants.

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

SECTION 1. Section 92.019, Property Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsections (a) and (b), a landlord may not charge a tenant who fails to pay rent for a rental pay period and who participates in the housing choice voucher program under Section 8, United States Housing Act of 1937 (42 U.S.C. Section 1437f), an initial late fee or daily late fees the total amount of which would exceed five percent of the amount of rent owed by the tenant during a rental pay period under the lease.

SECTION 2. The change in law made by this Act applies to a late fee charged on or after the effective date of this Act, regardless of whether the conduct for which the fee was imposed was committed before, on, or after that date.

SECTION 3. This Act takes effect September 1, 2017.