

By: Canales

H.B. No. 1098

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the amount of late fees that may be charged to certain
3 tenants.

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

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

7 (b-1) Notwithstanding Subsections (a) and (b), a landlord
8 may not charge a tenant who fails to pay rent for a rental pay period
9 and who participates in the housing choice voucher program under
10 Section 8, United States Housing Act of 1937 (42 U.S.C. Section
11 1437f), an initial late fee or daily late fees the total amount of
12 which would exceed five percent of the amount of rent owed by the
13 tenant during a rental pay period under the lease.

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

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