

BILL ANALYSIS

H.B. 1629
By: Morrison
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the options available to victims of family violence who are attempting to terminate a residential lease without penalty are too cumbersome, given that victims often live with the offender and need more expedient options. H.B. 1629 seeks to address this issue by expanding the options available to these victims to vacate and avoid residential lease liability.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1629 amends the Property Code to include a magistrate's order for emergency protection among the court orders that a residential tenant who exercises the right to terminate the tenant's lease, vacate the dwelling, and avoid liability for future rent following family violence may provide to a landlord or landlord's agent to fulfill the documentation requirement for such a lease termination. The bill authorizes as alternate documentation for that purpose a copy of documentation of the family violence against the tenant or an occupant from a licensed health care services provider who examined the victim, a licensed mental health services provider who examined or evaluated the victim, or a family violence center employee or volunteer who has at least 20 hours of training in assisting family violence victims and who assisted the victim.

EFFECTIVE DATE

September 1, 2019.