By:  Coleman, Walle H.B. No. 993

A BILL TO BE ENTITLED

AN ACT

relating to notice to a prospective residential tenant regarding flooding and flood insurance.

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

SECTION 1.  Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.0132 to read as follows:

Sec. 92.0132.  NOTICE REGARDING FLOODING AND FLOOD INSURANCE. (a) A landlord shall provide to a tenant a written notice substantially equivalent to the following:

"This dwelling may be located in an area of land designated by the Federal Emergency Management Agency (FEMA) as susceptible to flooding. FEMA maintains a flood map service center on its Internet website that the public may search by address, at no cost, to determine if a dwelling is located in a flood hazard area. Most tenant insurance policies do not cover damages or loss incurred in a flood event. You should seek appropriate insurance coverage that would cover losses caused by a flood."

(b)  The notice required by Subsection (a) must be included in:

(1)  a written lease and printed in underlined or boldfaced type; or

(2)  a separate written document given to the tenant before execution of the lease.

(c)  If a landlord violates this section and a tenant suffers loss or damage to the tenant's personal property as a result of flood, the tenant may terminate the lease by providing written notice of termination to the landlord.

SECTION 2.  The changes in law made by this Act apply only to a lease entered into on or after the effective date of this Act. A lease entered into before that date is governed by the law applicable to the lease immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.