

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

1 loss or damage to the tenant's personal property as a result of
2 flood, the tenant may terminate the lease by providing written
3 notice of termination to the landlord.

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

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