

By: Leach

H.B. No. 4015

A BILL TO BE ENTITLED

AN ACT

relating to liability for the collection of late fees by a landowner or landlord.

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

SECTION 1. Chapter 75, Civil Practices and Remedies Code, is amended by adding Section 75.008 to read as follows:

Sec. 75.008. LIABILITY LIMITED FOR LATE FEES COLLECTED BY A LANDLORD.

(a) A landlord is not liable for damages related to the collection of a late fee from a tenant for the tenant's failure to pay any portion of delinquent rent unless the late fee exceeds the greater of \$150 or ten percent of the amount of rent for the rental pay period under the lease.

(b) The calculation of the fee under subsection (a) shall include any direct or indirect costs or damages associated with the landlord's collection of delinquent rent.

SECTION 2. This Act takes effect September 1, 2019.