

By: Shaheen

H.B. No. 2515

A BILL TO BE ENTITLED

AN ACT

relating to short-term rental units that violate municipal ordinances.

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

SECTION 1. Subtitle B, Title 5, Business & Commerce Code, is amended by adding Chapter 95 to read as follows:

CHAPTER 95. SHORT-TERM RENTAL UNITS

Sec. 95.001. DEFINITIONS. In this chapter:

(1) "Short-term rental unit" means a residence, including a single-family residence or a unit in an apartment, condominium, cooperative, timeshare, or other multiunit residential building, that is rented wholly or partly for a fee and for a period of less than 30 consecutive days.

(2) "Short-term rental unit listing service" means a person who:

(A) lists a short-term rental unit that is not owned by the person on an Internet website, application, or software for the purpose of facilitating the rental of the unit on behalf of the unit's owner; and

(B) collects a fee from the owner for the rental of the unit or for the listing service.

Sec. 95.002. REMOVAL OF LISTING REQUIRED. On the receipt of notice under Section 215.007, Local Government Code, of a third violation of a municipal ordinance within a one-year period

1 involving a short-term rental unit that is listed by a short-term
2 rental unit listing service, the listing service shall remove the
3 unit from the listing service's Internet website, application, or
4 other online platform for at least 30 days.

5 Sec. 95.003. INJUNCTION. (a) The following persons may
6 bring an action under Subsection (b):

7 (1) a person who has incurred a loss or disruption of
8 the conduct of the person's business as a result of a violation of a
9 municipal ordinance involving a short-term rental unit; or

10 (2) another person who has been harmed by a violation
11 of a municipal ordinance involving a short-term rental unit.

12 (b) A person described by Subsection (a) may bring an action
13 for appropriate injunctive relief against the owner of a short-term
14 rental unit that is the subject of three or more violations of
15 municipal ordinances within a one-year period. The person bringing
16 the action may seek and recover reasonable attorney's fees and
17 court costs.

18 SECTION 2. Subchapter A, Chapter 215, Local Government
19 Code, is amended by adding Section 215.007 to read as follows:

20 Sec. 215.007. NOTICE OF SHORT-TERM RENTAL UNIT VIOLATIONS.

21 (a) In this section:

22 (1) "Short-term rental unit" means a residence,
23 including a single-family residence or a unit in an apartment,
24 condominium, cooperative, timeshare, or other multiunit
25 residential building, that is rented wholly or partly for a fee and
26 for a period of less than 30 consecutive days.

27 (2) "Short-term rental unit listing service" means a

1 person who:

2 (A) lists a short-term rental unit that is not
3 owned by the person on an Internet website, application, or
4 software for the purpose of facilitating the rental of the unit on
5 behalf of the unit's owner; and

6 (B) collects a fee from the owner for the rental
7 of the unit or for the listing service.

8 (b) A municipality shall provide written notice to a
9 short-term rental unit listing service of a violation of a
10 municipal ordinance involving a short-term rental unit listed on
11 the listing service.

12 SECTION 3. The changes in law made by this Act apply only to
13 conduct violating an ordinance that occurs on or after the
14 effective date of this Act.

15 SECTION 4. This Act takes effect September 1, 2021.