

BILL ANALYSIS

H.B. 3766
By: Bucy
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Fees for apartment rental applications can exceed \$75. When these fees pile up across multiple applications, it may limit the capacity of a homeless individual or family to afford other necessities such as food, clothing, or the deposits for any apartment they may get accepted into. H.B. 3766 seeks to address this issue by providing for a rental application fee waiver for individuals experiencing homelessness.

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 rulemaking authority is expressly granted to the Texas Department of Housing and Community Affairs in SECTION 1 of this bill.

ANALYSIS

H.B. 3766 amends the Property Code to prohibit a landlord or a landlord's agent from charging an application fee to any homeless person in order to apply to lease a dwelling if the person provides acceptable proof of the person's homelessness, as prescribed by rule of the Texas Department of Housing and Community Affairs (TDHCA). The bill requires TDHCA to adopt rules necessary to implement the fee waiver as soon as practicable after the bill's effective date and not later than January 1, 2024.

EFFECTIVE DATE

September 1, 2023.