88R13725 KBB-D

By:  Morales of Maverick H.B. No. 3963

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of parking rules or policies for a multiunit complex by a third-party parking enforcement vendor.

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

SECTION 1.  Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.0133 to read as follows:

Sec. 92.0133.  THIRD-PARTY PARKING ENFORCEMENT PROHIBITED. (a) In this section:

(1)  "Multiunit complex" has the meaning assigned by Section 92.151.

(2)  "Third-party parking enforcement vendor":

(A)  means a person who, for compensation:

(i)  issues a purported citation demanding payment of a fee by the operator of a vehicle parked in a parking area for an alleged violation of the parking rules or policies governing the parking area; and

(ii)  enforces or attempts to enforce the purported citation privately, including through referring an alleged delinquency in paying the purported citation to a collections agency for initiation of civil litigation; and

(B)  does not include a booting company or towing company operating in accordance with Chapter 2308, Occupations Code, and applicable local regulations.

(b)  A landlord may not contract with a third-party parking enforcement vendor to enforce parking rules or policies in the parking area of a multiunit complex.

SECTION 2.  Section 92.0133, Property Code, as added by this Act, applies only to a contract entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.