

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

1 enforcement vendor to enforce parking rules or policies in the
2 parking area of a multiunit complex.

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

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