

Amend **SB 38** (house committee report) on page 4 by striking lines 6 through 19 and substituting the following:

(a) If the occupant is a tenant under a written lease or oral rental agreement, the landlord must give a tenant who defaults or holds over beyond the end of the rental term or renewal period at least three days' written notice to vacate the premises before the landlord files a forcible detainer suit, unless the parties have contracted for a shorter or longer notice period in a written lease or agreement. In a forcible detainer suit against a tenant whose right of possession is terminated based solely on nonpayment of rent and who was not late or delinquent in paying rent to the landlord before the month in which the notice is given, written notice under this section shall be given in the form of a notice to pay rent or vacate. In a forcible detainer suit against a tenant whose right of possession is terminated based on nonpayment of rent and who was late or delinquent in paying rent to the landlord before the month in which the notice is given, written notice under this section may be given in the form of either a notice to pay rent or vacate or a notice to vacate. A landlord who files a forcible detainer suit on grounds that the tenant is holding over beyond the end of the rental term or renewal period must also comply with the tenancy termination requirements of Section 91.001.