

BILL ANALYSIS

S.B. 1802
By: Alvarado
Trade, Workforce & Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that a landlord should make a diligent effort to repair or remedy an elevator, ramp, or handrail on a tenant's route to, or inside, their dwelling. S.B. 1802 seeks to address this issue and expand the quality-of-life amenities landlords must repair by providing for a landlord's duty to repair or remedy a condition arising from the landlord's failure to maintain an operational ramp, elevator, or handrail under certain circumstances and by making a landlord liable to a tenant for a condition arising from the landlord's failure to maintain such an operational condition or provide a functionally equivalent alternative.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1802 amends the Property Code to expand the applicability of a landlord's duty to make a diligent effort to repair or remedy a condition under a residential tenancy to include a condition that arises from the landlord's failure to maintain in good operating condition a ramp, elevator, or handrail located on the route to or from or inside of the tenant's dwelling.

S.B. 1802 expands a landlord's liability to a tenant under statutory provisions governing the repair or closing of a leasehold under a residential tenancy to include a condition arising from the landlord's failure to maintain in good operating condition or provide a functionally equivalent alternative to a ramp, elevator, or handrail located on an accessible route to or from or inside of the tenant's dwelling. The bill authorizes a landlord who is liable to a tenant under such a circumstance to provide at no cost to the tenant alternative housing accommodations until the condition is repaired or remedied or until the end of the tenant's lease term. The bill establishes that nothing in provisions relating to landlord liability and tenant remedies as revised by the bill may be construed to require a landlord or other property owner to provide alternative housing accommodations or relocation assistance to any person.

S.B. 1802 applies only to a lease entered into or renewed on or after the bill's effective date. A lease entered into or renewed before the bill's effective date is governed by the law as it existed immediately before that date, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.