

By: Gervin-Hawkins

H.B. No. 320

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a residential landlord's and tenant's duties regarding  
3 the provision of certain information.

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

5 SECTION 1. Section 92.020, Property Code, is amended by  
6 adding Subsections (e), (f), and (g) to read as follows:

7 (e) Not later than the second business day after the date  
8 that a landlord becomes aware that a telephone number provided by  
9 the landlord to a tenant under Subsection (a) or (d) becomes  
10 incorrect, the landlord shall:

11 (1) if Subsection (a) applies to the landlord, post a  
12 notice of the change, including the correct telephone number, in  
13 the manner required by Subsection (b); and

14 (2) regardless of whether Subsection (a) applies to  
15 the landlord, give written notice of the change, including the  
16 correct telephone number, to the tenant in the same language as the  
17 lease signed by the tenant by:

18 (A) mail or personal delivery;

19 (B) electronic means other than e-mail,  
20 including by text message or through an online portal to which the  
21 tenant has access; or

22 (C) e-mail if the tenant has:

23 (i) previously communicated with the  
24 landlord by e-mail; or

1                    (ii) provided an e-mail address to the  
2 landlord.

3            (f) The tenant of a landlord who violates Subsection (e) may  
4 obtain a court order requiring the landlord to provide a correct  
5 telephone number in accordance with this section.

6            (g) Notwithstanding Subsections (e) and (f), if a state of  
7 disaster declared by the governor under Section 418.014, Government  
8 Code, interferes with a landlord's ability to provide a correct  
9 telephone number in accordance with this section, the landlord may  
10 provide the telephone number at any time on or before the 30th day  
11 after the date the state of disaster is declared.

12            SECTION 2. Subchapter A, Chapter 92, Property Code, is  
13 amended by adding Section 92.0201 to read as follows:

14            Sec. 92.0201. TENANT'S DUTY TO PROVIDE CONTACT INFORMATION.

15            (a) A tenant shall provide contact information, including a  
16 telephone number and e-mail address, as applicable, to the landlord  
17 within a reasonable time after the beginning of the lease term.

18            (b) Not later than the second business day after the date  
19 that a tenant becomes aware that information provided by the tenant  
20 to the landlord under Subsection (a) becomes incorrect, the tenant  
21 shall give written notice of the change, including the correct  
22 information, to the landlord by:

23                    (1) mail or personal delivery;

24                    (2) electronic means other than e-mail, including by  
25 text message or through an online portal to which the tenant has  
26 access, if the tenant has:

27                            (A) previously communicated with the landlord by

1 the electronic means; or

2 (B) provided the applicable electronic contact  
3 information to the landlord; or

4 (3) e-mail, if the tenant has:

5 (A) previously communicated with the landlord by  
6 e-mail; or

7 (B) provided an e-mail address to the landlord.

8 (c) Notwithstanding any other law, a tenant is not entitled  
9 to a remedy under Section 92.020(f) or 92.205(a) unless the tenant  
10 is in compliance with this section.

11 SECTION 3. The heading to Section 92.201, Property Code, is  
12 amended to read as follows:

13 Sec. 92.201. DISCLOSURE OF OWNERSHIP AND MANAGEMENT;  
14 CONTACT INFORMATION.

15 SECTION 4. Sections 92.201(a) and (e), Property Code, are  
16 amended to read as follows:

17 (a) A landlord shall disclose to a tenant, or to any  
18 government official or employee acting in an official capacity,  
19 according to this subchapter:

20 (1) the name and either a street or post office box  
21 address of the holder of record title, according to the deed records  
22 in the county clerk's office, of the dwelling rented by the tenant  
23 or inquired about by the government official or employee acting in  
24 an official capacity; ~~and~~

25 (2) if an entity located off-site from the dwelling is  
26 primarily responsible for managing the dwelling, the name and  
27 street address of the management company; and

1           (3) a telephone number, e-mail address, or other  
2 reasonable method for contacting the landlord or management company  
3 during normal business hours.

4           (e) A correction to the information disclosed to a  
5 government official or employee under this section may be made by  
6 any of the methods authorized for providing the information.

7           SECTION 5. Section 92.203, Property Code, is amended to  
8 read as follows:

9           Sec. 92.203. LANDLORD'S FAILURE TO CORRECT INFORMATION  
10 PROVIDED TO TENANT. A landlord who has provided information under  
11 Subdivision (2) or (3) of Subsection (b) of Section 92.201 is liable  
12 to a tenant according to this subchapter if:

13           (1) the information becomes incorrect [~~because a name~~  
14 ~~or address changes~~]; and

15           (2) the landlord fails to correct the information on  
16 or before the seventh day after the date the tenant gives the  
17 landlord written notice that the tenant may exercise the remedies  
18 under this subchapter if the corrected information is not provided  
19 within seven days.

20           SECTION 6. Section 92.204, Property Code, is amended to  
21 read as follows:

22           Sec. 92.204. BAD FAITH VIOLATION. A landlord acts in bad  
23 faith and is liable according to this subchapter if the landlord  
24 gives an incorrect name, [~~or~~] address, telephone number, e-mail  
25 address, or other method of contact under [~~Subsection (a) of~~]  
26 Section 92.201(a) [~~92.201~~] by wilfully:

27           (1) disclosing incorrect information under Section

1 92.201(b)(1) or (2) or Section 92.201(d); or

2 (2) failing to correct information given under Section  
3 92.201(b)(1) or (2) or Section 92.201(d) that the landlord knows is  
4 incorrect.

5 SECTION 7. Section 92.205, Property Code, is amended by  
6 amending Subsection (a) and adding Subsection (a-1) to read as  
7 follows:

8 (a) Subject to Subsection (a-1), a [A] tenant of a landlord  
9 who is liable under Section 92.202, 92.203, or 92.204 may obtain or  
10 exercise one or more of the following remedies:

11 (1) a court order directing the landlord to make a  
12 disclosure required by this subchapter;

13 (2) a judgment against the landlord for an amount  
14 equal to the tenant's actual costs in discovering the information  
15 required to be disclosed by this subchapter;

16 (3) a judgment against the landlord for one month's  
17 rent plus \$100;

18 (4) a judgment against the landlord for court costs  
19 and attorney's fees; and

20 (5) unilateral termination of the lease without a  
21 court proceeding.

22 (a-1) A tenant of a landlord who is liable under Section  
23 92.202, 92.203, or 92.204 is entitled to:

24 (1) one or more of the remedies available under  
25 Subsection (a), if the tenant suffers damages caused by the  
26 landlord's failure to make a disclosure required by this  
27 subchapter; or

1           (2) only the remedy available under Subsection (a)(1),  
2 if the tenant does not suffer damages caused by the landlord's  
3 failure to make a disclosure required by this subchapter.

4           SECTION 8. (a) The changes in law made by this Act to  
5 Sections 92.201(a) and 92.204, Property Code, apply only to  
6 disclosure of contact information made on or after the effective  
7 date of this Act. Disclosure of contact information made before the  
8 effective date of this Act is governed by the law in effect on the  
9 date the disclosure was made, and that law is continued in effect  
10 for that purpose.

11           (b) The changes in law made by this Act to Sections 92.203  
12 and 92.205, Property Code, apply only to liability for failure to  
13 correct contact information given on or after the effective date of  
14 this Act. Liability for failure to correct contact information  
15 given before the effective date of this Act is governed by the law  
16 in effect when the contact information was given, and that law is  
17 continued in effect for that purpose.

18           SECTION 9. This Act takes effect September 1, 2025.