

By: Rosenthal

H.B. No. 438

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting an increase in the rent of a tenant residing  
3 in a development supported with a low income housing tax credit  
4 allocation.

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

6 SECTION 1. Section 2306.6738(a), Government Code, is  
7 amended to read as follows:

8 (a) Notwithstanding any other law, a development owner of a  
9 development supported with a housing tax credit allocation may not:

10 (1) lock out or threaten to lock out any person  
11 residing in the development except by judicial process unless the  
12 exclusion results from:

13 (A) a necessity to perform bona fide repairs or  
14 construction work; or

15 (B) an emergency; ~~or~~

16 (2) seize or threaten to seize the personal property  
17 of any person residing in the development except by judicial  
18 process unless the resident has abandoned the premises; or

19 (3) except as provided under the terms of a voucher  
20 program under Section 8, United States Housing Act of 1937 (42  
21 U.S.C. Section 1437f), or a similar rental subsidy program,  
22 increase the rent paid by a person residing in the development  
23 during the duration of the person's lease agreement.

24 SECTION 2. Section 2306.6738, Government Code, as amended

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1 by this Act, applies only to a lease agreement entered into or  
2 renewed on or after the effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2025.