

By: Darby, Luther

H.B. No. 2037

A BILL TO BE ENTITLED

AN ACT

relating to repairs made pursuant to a residential or manufactured home tenant's notice of intent to repair and the provision of notice regarding a residential or manufactured home tenant's security deposit.

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

SECTION 1. Section 92.0561(f), Property Code, is amended to read as follows:

(f) Repairs made pursuant to the tenant's notice must be made by an independent ~~[a]~~ company, contractor, or repairman ~~[listed in the yellow or business pages of the telephone directory or in the classified advertising section of a newspaper of the local city, county, or adjacent county at the time of the tenant's notice of intent to repair]~~. If the rental unit is located in a

municipality requiring the company, contractor, or repairman to be licensed, the person or entity performing the repair must be licensed in accordance with the municipality's requirements.

Unless the landlord and tenant agree otherwise under Subsection (g) ~~[of this section]~~, repairs may not be made by the tenant, the tenant's immediate family, the tenant's employer or employees, or a company in which the tenant has an ownership interest. Repairs may not be made to the foundation or load-bearing structural elements of the building if it contains two or more dwelling units.

SECTION 2. Subchapter C, Chapter 92, Property Code, is

amended by adding Sections 92.112 and 92.113 to read as follows:

Sec. 92.112. AGENTS FOR DELIVERY OF NOTICE. A managing agent, leasing agent, or resident manager is the agent of the landlord for purposes of notice and other communications required or permitted by this subchapter.

Sec. 92.113. NOTICE BY E-MAIL. (a) Notice and other communications required or permitted by this subchapter may be sent by e-mail if the tenant and the landlord or landlord's agent have previously communicated by e-mail.

(b) The landlord or landlord's agent may designate a specific e-mail address for a tenant to use for the purpose of Subsection (a).

SECTION 3. Subchapter C, Chapter 94, Property Code, is amended by adding Sections 94.110 and 94.111 to read as follows:

Sec. 94.110. AGENTS FOR DELIVERY OF NOTICE. A managing agent, leasing agent, or resident manager is the agent of the landlord for purposes of notice and other communications required or permitted by this subchapter.

Sec. 94.111. NOTICE BY E-MAIL. (a) Notice and other communications required or permitted by this subchapter may be sent by e-mail if the tenant and the landlord or landlord's agent have previously communicated by e-mail.

(b) The landlord or landlord's agent may designate a specific e-mail address for a tenant to use for the purpose of Subsection (a).

SECTION 4. Section 94.157(g), Property Code, is amended to read as follows:

1 (g) Repairs made based on a tenant's notice must be made by
2 an independent [a] company, contractor, or repairman [~~listed at the~~
3 ~~time of the tenant's notice of intent to repair in the yellow or~~
4 ~~business pages of the telephone directory or in the classified~~
5 ~~advertising section of a newspaper of the municipality or county in~~
6 ~~which the manufactured home community is located or in an adjacent~~
7 ~~county~~]. If the rental unit is located in a municipality requiring
8 the company, contractor, or repairman to be licensed, the person or
9 entity performing the repair must be licensed in accordance with
10 the municipality's requirements. Unless the landlord and tenant
11 agree otherwise under Subsection (i), repairs may not be made by the
12 tenant, the tenant's immediate family, the tenant's employer or
13 employees, or a company in which the tenant has an ownership
14 interest. Repairs may not be made to the foundation or load-bearing
15 structural elements of the manufactured home lot.

16 SECTION 5. The changes in law made by this Act apply only to
17 a lease entered into or renewed on or after the effective date of
18 this Act. A lease entered into or renewed before the effective date
19 of this Act is governed by the law in effect immediately before the
20 effective date of this Act, and that law is continued in effect for
21 that purpose.

22 SECTION 6. This Act takes effect September 1, 2025.