

1-1 By: Darby, et al. (Senate Sponsor - Middleton) H.B. No. 2037
1-2 (In the Senate - Received from the House May 5, 2025;
1-3 May 5, 2025, read first time and referred to Committee on Business
1-4 & Commerce; May 25, 2025, reported favorably by the following vote:
1-5 Yeas 11, Nays 0; May 25, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Schwertner	X		
1-9	King	X		
1-10	Blanco	X		
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to repairs made pursuant to a residential or manufactured
1-22 home tenant's notice of intent to repair and the provision of notice
1-23 regarding a residential or manufactured home tenant's security
1-24 deposit.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 92.0561(f), Property Code, is amended to
1-27 read as follows:

1-28 (f) Repairs made pursuant to the tenant's notice must be
1-29 made by an independent [a] company, contractor, or repairman
1-30 ~~[listed in the yellow or business pages of the telephone directory~~
1-31 ~~or in the classified advertising section of a newspaper of the local~~
1-32 ~~city, county, or adjacent county at the time of the tenant's notice~~
1-33 ~~of intent to repair]~~. If the rental unit is located in a
1-34 municipality requiring the company, contractor, or repairman to be
1-35 licensed, the person or entity performing the repair must be
1-36 licensed in accordance with the municipality's requirements.
1-37 Unless the landlord and tenant agree otherwise under Subsection (g)
1-38 ~~[of this section]~~, repairs may not be made by the tenant, the
1-39 tenant's immediate family, the tenant's employer or employees, or a
1-40 company in which the tenant has an ownership interest. Repairs may
1-41 not be made to the foundation or load-bearing structural elements
1-42 of the building if it contains two or more dwelling units.

1-43 SECTION 2. Subchapter C, Chapter 92, Property Code, is
1-44 amended by adding Sections 92.112 and 92.113 to read as follows:

1-45 Sec. 92.112. AGENTS FOR DELIVERY OF NOTICE. A managing
1-46 agent, leasing agent, or resident manager is the agent of the
1-47 landlord for purposes of notice and other communications required
1-48 or permitted by this subchapter.

1-49 Sec. 92.113. NOTICE BY E-MAIL. (a) Notice and other
1-50 communications required or permitted by this subchapter may be sent
1-51 by e-mail if the tenant and the landlord or landlord's agent have
1-52 previously communicated by e-mail.

1-53 (b) The landlord or landlord's agent may designate a
1-54 specific e-mail address for a tenant to use for the purpose of
1-55 Subsection (a).

1-56 SECTION 3. Subchapter C, Chapter 94, Property Code, is
1-57 amended by adding Sections 94.110 and 94.111 to read as follows:

1-58 Sec. 94.110. AGENTS FOR DELIVERY OF NOTICE. A managing
1-59 agent, leasing agent, or resident manager is the agent of the
1-60 landlord for purposes of notice and other communications required
1-61 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:

(g) Repairs made based on a tenant's notice must be made by an independent [a] company, contractor, or repairman [~~listed at the time of the tenant's notice of intent to repair in the yellow or business pages of the telephone directory or in the classified advertising section of a newspaper of the municipality or county in which the manufactured home community is located or in an adjacent county~~]. 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 (i), 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 manufactured home lot.

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

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

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