

By: Bowers

H.B. No. 2493

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain eviction-related service businesses.

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

SECTION 1. Subchapter E, Chapter 17, Business & Commerce Code, is amended by adding Section 17.465 to read as follows:

Sec. 17.465. EVICTION-RELATED SERVICES. (a) In this section, "eviction-related services" means any service provided to consumers in connection with eviction suits filed by landlords under Chapter 24, Property Code, or with respect to prospective suits under that chapter.

(b) For purposes of Section 17.46(a), the term "false, misleading, or deceptive acts or practices" includes the offering or provision of eviction-related services by a person who:

(1) does not provide:

(A) a clear, written disclosure to a consumer that includes:

(i) a statement informing the consumer of the right to obtain legal aid services at no cost;

(ii) a detailed description of the eviction-related services the person offers;

(iii) information on tenant rights, including the importance of attending civil proceedings or hearings in relation to an eviction suit; and

1 (iv) a notice that the eviction-related
2 services offered may be accessed through nonprofit organizations
3 for free; or

4 (B) a clear statement in any advertisement or
5 promotional material that the service is a private business and not
6 affiliated with:

7 (i) a federal, state, or local government
8 entity; or

9 (ii) a legal aid society or legal services
10 program; or

11 (2) instructs a consumer not to attend a civil
12 proceeding or hearing in relation to an eviction suit filed by a
13 landlord against the consumer under Chapter 24, Property Code, or
14 with respect to a prospective suit under that chapter.

15 (c) This section does not apply to:

16 (1) a federal, state, or local government entity; or

17 (2) a legal aid society or legal services program.

18 (d) A violation of this section is a false, misleading, or
19 deceptive act or practice under this subchapter, and any public or
20 private right or remedy prescribed by this subchapter may be used to
21 enforce this section.

22 SECTION 2. Section 17.49(c), Business & Commerce Code, is
23 amended to read as follows:

24 (c) Nothing in this subchapter shall apply to a claim for
25 damages based on the rendering of a professional service, the
26 essence of which is the providing of advice, judgment, opinion, or
27 similar professional skill. This exemption does not apply to:

1 (1) an express misrepresentation of a material fact
2 that cannot be characterized as advice, judgment, or opinion;

3 (2) a failure to disclose information in violation of
4 Section [17.46\(b\)\(24\)](#) or Section [17.465\(b\)](#);

5 (3) an unconscionable action or course of action that
6 cannot be characterized as advice, judgment, or opinion;

7 (4) breach of an express warranty that cannot be
8 characterized as advice, judgment, or opinion; or

9 (5) a violation of Section [17.46\(b\)\(26\)](#).

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