

By: Eckhardt

S.B. No. 340

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to screening by a landlord of applicants for residential  
3 tenancies.

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

5 SECTION 1. Section 92.3515, Property Code, is amended by  
6 amending Subsection (a) and adding Subsection (a-1) to read as  
7 follows:

8 (a) At the time an applicant is provided with a rental  
9 application and before accepting an application fee, the landlord  
10 shall make available to the applicant printed notice of the  
11 landlord's tenant selection criteria and the grounds for which the  
12 rental application may be denied, including the applicant's:

- 13 (1) criminal history;  
14 (2) previous rental history;  
15 (3) current income;  
16 (4) credit history; or  
17 (5) failure to provide accurate or complete  
18 information on the application form.

19 (a-1) The printed notice must state in writing that the  
20 applicant may provide evidence showing:

- 21 (1) the inaccuracies in the applicant's criminal  
22 history;  
23 (2) the applicant's rehabilitation; or  
24 (3) other mitigating factors.

1 SECTION 2. Section 92.354, Property Code, is amended to  
2 read as follows:

3 Sec. 92.354. LIABILITY OF LANDLORD. (a) A landlord who in  
4 bad faith fails to refund an application fee or deposit in violation  
5 of this subchapter is liable for an amount equal to the sum of \$100,  
6 three times the amount wrongfully retained, and the applicant's  
7 reasonable attorney's fees.

8 (b) A landlord who violates Section 92.3515 is liable for an  
9 amount equal to the sum of \$500 and the applicant's reasonable  
10 attorney's fees.

11 SECTION 3. The changes in law made by this Act apply only to  
12 a rental application submitted on or after the effective date of  
13 this Act. A rental application submitted before the effective date  
14 of this Act is governed by the law in effect immediately before the  
15 effective date of this Act, and the former law is continued in  
16 effect for that purpose.

17 SECTION 4. This Act takes effect September 1, 2025.