

A BILL TO BE ENTITLED

AN ACT

relating to the duties of care of certain landlords regarding  
disasters.

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

SECTION 1. Chapter 92, Property Code, is amended by adding  
Subchapter J to read as follows:

SUBCHAPTER J. LANDLORD'S DUTIES OF CARE REGARDING DISASTERS

Sec. 92.401. DEFINITIONS. In this subchapter:

(1) "Authorized resident" means a tenant or an  
individual who is authorized by a lease to occupy a dwelling but who  
is not obligated under the lease to pay rent.

(2) "Child," "disabled individual," and "elderly  
individual" have the meanings assigned by Section 22.04, Penal  
Code.

(3) "Disaster" has the meaning assigned by Section  
418.004, Government Code.

(4) "Landlord" and "multiunit complex" have the  
meanings assigned by Section 92.151.

Sec. 92.402. APPLICABILITY OF SUBCHAPTER. This subchapter  
applies only to the landlord of a multiunit complex in which any  
authorized resident is an elderly individual, disabled individual,  
or child.

Sec. 92.403. DUTIES OF CARE. (a) A landlord to whom this  
subchapter applies has the following duties of care:

1           (1) a duty to take all reasonable and necessary  
2 precautions to protect residents of the multiunit complex from  
3 foreseeable harm during a disaster;

4           (2) a duty to understand and prepare for conditions  
5 that are more likely to affect an elderly or disabled individual or  
6 child during a disaster, such as the need for mobility assistance  
7 during evacuation or the need to access medication or medical  
8 support;

9           (3) a duty to ensure that the staff of the complex are  
10 trained and available to assist with resident needs during a  
11 disaster;

12           (4) a duty to inform residents about dangers that may  
13 arise in a disaster and provide instruction on how to respond to  
14 those dangers; and

15           (5) a duty not to abandon the complex during a disaster  
16 unless a mandatory evacuation of the area has been ordered under  
17 Section 418.185, Government Code.

18           (b) The duty described by Subsection (a)(4) includes a duty  
19 to implement a reliable system to alert residents of imminent  
20 dangers and to provide clear and accessible information about  
21 disaster plans and evacuation procedures.

22           Sec. 92.404. CAUSE OF ACTION. An authorized resident may  
23 bring an action to recover damages resulting from a landlord's  
24 breach of a duty of care imposed by Section 92.403.

25           Sec. 92.405. EFFECT ON OTHER DUTIES. Nothing in this  
26 subchapter affects a duty of a landlord that exists under other law.

27           SECTION 2. This Act takes effect September 1, 2025.