

By: West

S.B. No. 603

A BILL TO BE ENTITLED

AN ACT

relating to a landlord's authority to collect from a tenant certain late fees for nonpayment or late payment for a utility.

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

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.0192 to read as follows:

Sec. 92.0192. CERTAIN UTILITY NONPAYMENT OR LATE FEES PROHIBITED. (a) In this section, "landlord" includes a manager or agent of the landlord.

(b) Except as provided by Subsection (c), a landlord may not collect from a tenant a fee incurred by the landlord as a result of the landlord's nonpayment or late payment to a utility company for a utility service furnished by the landlord to the tenant under the lease or another agreement.

(c) Subsection (b) does not apply to a tenant who is delinquent in payment to the landlord for a utility service furnished by the landlord to the tenant under the lease or other agreement.

(d) This section does not restrict a landlord's authority to collect from a tenant a late fee or other charge for an amount owed by the tenant to the landlord under the lease or other agreement.

SECTION 2. The changes in law made by this Act apply only to a lease or other agreement entered into or renewed on or after the effective date of this Act.

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