

1-1 By: Alvarado, Campbell, Menéndez S.B. No. 1802
1-2 (In the Senate - Filed March 3, 2025; March 13, 2025, read
1-3 first time and referred to Committee on Business & Commerce;
1-4 May 5, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 11, Nays 0; May 5, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Schwertner	X			
1-10	King	X			
1-11	Blanco	X			
1-12	Campbell	X			
1-13	Creighton	X			
1-14	Johnson	X			
1-15	Kolkhorst	X			
1-16	Menéndez	X			
1-17	Middleton	X			
1-18	Nichols	X			
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1802 By: King

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to a landlord's duty to repair or remedy certain
1-24 conditions.

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

1-26 SECTION 1. Section 92.052(a), Property Code, is amended to
1-27 read as follows:

1-28 (a) A landlord shall make a diligent effort to repair or
1-29 remedy a condition if:

1-30 (1) the tenant specifies the condition in a notice to
1-31 the person to whom or to the place where rent is normally paid;

1-32 (2) the tenant is not delinquent in the payment of rent
1-33 at the time notice is given; and

1-34 (3) the condition:

1-35 (A) materially affects the physical health or
1-36 safety of an ordinary tenant; or

1-37 (B) arises from:

1-38 (i) the landlord's failure to provide and
1-39 maintain in good operating condition a device to supply hot water of
1-40 a minimum temperature of 120 degrees Fahrenheit; or

1-41 (ii) the landlord's failure to maintain in
1-42 good operating condition a ramp, elevator, or handrail located on
1-43 the route to or from or inside of the tenant's dwelling.

1-44 SECTION 2. Section 92.056, Property Code, is amended by
1-45 amending Subsection (b) and adding Subsections (e-1) and (e-2) to
1-46 read as follows:

1-47 (b) A landlord is liable to a tenant as provided by this
1-48 subchapter if:

1-49 (1) the tenant has given the landlord notice to repair
1-50 or remedy a condition by giving that notice to the person to whom or
1-51 to the place where the tenant's rent is normally paid;

1-52 (2) the condition:

1-53 (A) materially affects the physical health or
1-54 safety of an ordinary tenant; or

1-55 (B) arises from the landlord's failure to
1-56 maintain in good operating condition a ramp, elevator, or handrail
1-57 located on the route to or from or inside of the tenant's dwelling;

1-58 (3) the tenant has given the landlord a subsequent
1-59 written notice to repair or remedy the condition after a reasonable
1-60 time to repair or remedy the condition following the notice given

under Subdivision (1) or the tenant has given the notice under Subdivision (1) by sending that notice by certified mail, return receipt requested, by registered mail, or by another form of mail that allows tracking of delivery from the United States Postal Service or a private delivery service;

(4) the landlord has had a reasonable time to repair or remedy the condition after the landlord received the tenant's notice under Subdivision (1) and, if applicable, the tenant's subsequent notice under Subdivision (3);

(5) the landlord has not made a diligent effort to repair or remedy the condition after the landlord received the tenant's notice under Subdivision (1) and, if applicable, the tenant's notice under Subdivision (3); and

(6) the tenant was not delinquent in the payment of rent at the time any notice required by this subsection was given.

(e-1) If a landlord is liable to a tenant under Subsection (b)(2)(B), the landlord may provide at no cost to the tenant alternative housing accommodations until the condition described by that subsection is repaired or remedied or until the end of the tenant's lease term.

(e-2) Nothing in this section may be construed to require a landlord or other property owner to provide alternative housing accommodations or relocation assistance to any person.

SECTION 3. 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 as it existed immediately before that date, and the former law is continued in effect for that purpose.

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

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