By: Ward Johnson H.B. No. 1263

A BILL TO BE ENTITLED

AN ACT

relating to notice provided to prospective lessees of residential units on land over a closed municipal solid waste landfill facility.

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

SECTION 1. Section 361.539, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Subject to Subsection (c), an [~~An~~] owner of land that overlies a closed municipal solid waste landfill facility shall notify each lessee, prospective lessee, and [~~each~~] occupant of a structure that overlies the site of:

(1) the land's former use as a landfill; and

(2) the structural controls in place to minimize potential future danger posed by the landfill.

(c) At the time a prospective lessee is provided with a rental application for a residential unit at a property that overlies a closed municipal solid waste landfill facility and before an application fee for the residential unit is accepted from the prospective lessee, the owner of the property that is the subject of the rental application shall disclose to the applicant in writing that the property overlies the site of a closed municipal solid waste landfill facility.

SECTION 2. Section 361.539, Health and Safety Code, as

amended by this Act, applies only to a lease entered into on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2027.