

By: Anderson of Dallas

H.B. No. 2404

A BILL TO BE ENTITLED

AN ACT

relating to certain security devices for residential tenancies.

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

SECTION 1. Section 92.156, Property Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) Except as otherwise provided by Subsection (e), a [A] security device operated by a key, card, or combination shall be rekeyed by the landlord at the landlord's expense not later than the seventh day after each tenant turnover date.

(e) If a tenant breaches a written lease and vacates the premises, the landlord may deduct from the tenant's security deposit the reasonable cost incurred by the landlord to rekey a security device as required by this section only if the lease includes a provision that is underlined or printed in boldface type authorizing the deduction.

SECTION 2. Section 92.157(a), Property Code, is amended to read as follows:

(a) At a tenant's request made at any time, a landlord, at the tenant's expense, shall install:

(1) a keyed dead bolt on an exterior door if the door has:

(A) a doorknob lock but not a keyed dead bolt; or

(B) a keyless bolting device but not a keyed dead

1 bolt or doorknob lock; and

2 (2) a sliding door handle latch [~~pin-lock~~] or sliding
3 door security bar if the door is an exterior sliding glass door
4 without a sliding door handle latch [~~pin-lock~~] or sliding door
5 security bar.

6 SECTION 3. Section 92.1641, Property Code, is amended to
7 read as follows:

8 Sec. 92.1641. LANDLORD'S DEFENSES RELATING TO INSTALLING OR
9 REKEYING CERTAIN SECURITY DEVICES. The landlord has a defense to
10 liability under Section 92.164 if:

11 (1) the tenant has not fully paid all rent then due
12 from the tenant on the date the tenant gives a request under
13 [~~Subsection (a) of~~] Section 92.157(c) [~~92.157~~] or the notice
14 required by Section 92.164; or

15 (2) on the date the tenant terminates the lease or
16 files suit the tenant has not fully paid costs requested by the
17 landlord and authorized by Section 92.162.

18 SECTION 4. The changes in law made by this Act apply only to
19 a lease entered into or renewed on or after the effective date of
20 this Act. A lease entered into or renewed before the effective date
21 of this Act is governed by the law as it existed immediately before
22 the effective date of this Act, and that law is continued in effect
23 for that purpose.

24 SECTION 5. This Act takes effect September 1, 2015.