

Amend CSHB 1429 (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.026 to read as follows:

Sec. 92.026. LANDLORD'S DUTY TO PROVIDE COPY OF LEASE. (a) Not later than the third business day after the date the lease is signed by each party to the lease, a landlord shall provide at least one copy of the lease to at least one tenant who is a party to the lease.

(b) If more than one tenant is a party to the lease, not later than the third business day after the date a landlord receives a written request for a copy of a lease from a tenant who has not received a copy of the lease under Subsection (a), the landlord shall provide one copy of the lease to the requesting tenant.

(c) If a landlord fails to comply with Subsection (a) or (b), a tenant, after giving written notice to the landlord of the failure to comply with Subsection (a) or (b), may bring an action to obtain a copy of the lease and recover actual damages resulting from the failure to provide a copy of the lease, court costs, and reasonable attorney's fees.

SECTION 2. Section 92.331(a), Property Code, is amended to read as follows:

(a) A landlord may not retaliate against a tenant by taking an action described by Subsection (b) because the tenant:

(1) in good faith exercises or attempts to exercise against a landlord a right or remedy granted to the tenant by lease, municipal ordinance, or federal or state statute;

(2) gives a landlord a notice to repair or exercise a remedy under this chapter; ~~[or]~~

(3) complains to a governmental entity responsible for enforcing building or housing codes, a public utility, or a civic or nonprofit agency, and the tenant:

(A) claims a building or housing code violation or utility problem; and

(B) believes in good faith that the complaint is valid and that the violation or problem occurred; or

(4) establishes, attempts to establish, or

participates in a tenant organization.

SECTION 3. The changes in law made by Section 92.026, Property Code, as added by this Act, apply only to a lease the effective date of which is on or after the effective date of this Act. A lease the effective date of which is before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect January 1, 2012.