

1-1 By: Leach (Senate Sponsor - Eltife) H.B. No. 2489
1-2 (In the Senate - Received from the House May 11, 2015;
1-3 May 12, 2015, read first time and referred to Committee on Business
1-4 and Commerce; May 22, 2015, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 22, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Eltife	X		
1-10	Creighton	X		
1-11	Ellis	X		
1-12	Huffines	X		
1-13	Schwertner	X		
1-14	Seliger	X		
1-15	Taylor of Galveston	X		
1-16	Watson	X		
1-17	Whitmire	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2489 By: Taylor of Galveston

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to regulation by a property owners' association of
1-22 residential leases or rental agreements.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 209, Property Code, is amended by adding
1-25 Section 209.016 to read as follows:

1-26 Sec. 209.016. REGULATION OF RESIDENTIAL LEASES OR RENTAL
1-27 AGREEMENTS. (a) In this section, "sensitive personal information"
1-28 means an individual's:

- 1-29 (1) social security number;
1-30 (2) driver's license number;
1-31 (3) government-issued identification number; or
1-32 (4) account, credit card, or debit card number.

1-33 (b) A property owners' association may not adopt or enforce
1-34 a provision in a dedicatory instrument that:

1-35 (1) requires a lease or rental applicant or a tenant to
1-36 be submitted to and approved for tenancy by the property owners'
1-37 association; or

1-38 (2) requires the following information to be submitted
1-39 to a property owners' association regarding a lease or rental
1-40 applicant or current tenant:

1-41 (A) a consumer or credit report; or

1-42 (B) a lease or rental application submitted by
1-43 the applicant, tenant, or that person's agent to the property owner
1-44 or property owner's agent when applying for tenancy.

1-45 (c) If a copy of the lease or rental agreement is required by
1-46 the property owners' association, any sensitive personal
1-47 information may be redacted or otherwise made unreadable or
1-48 indecipherable.

1-49 (d) Except as provided by Subsection (b), nothing in this
1-50 section shall be construed to prohibit the adoption or enforcement
1-51 of a provision in a dedicatory instrument establishing a
1-52 restriction relating to occupancy or leasing.

1-53 SECTION 2. This Act takes effect immediately if it receives
1-54 a vote of two-thirds of all the members elected to each house, as
1-55 provided by Section 39, Article III, Texas Constitution. If this
1-56 Act does not receive the vote necessary for immediate effect, this
1-57 Act takes effect September 1, 2015.

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