

1-1 By: Vo (Senate Sponsor - Birdwell) H.B. No. 1153
 1-2 (In the Senate - Received from the House April 27, 2021;
 1-3 May 10, 2021, read first time and referred to Committee on Natural
 1-4 Resources & Economic Development; May 19, 2021, reported favorably
 1-5 by the following vote: Yeas 7, Nays 0; May 19, 2021, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the applicability of the Texas Fair Housing Act to
 1-21 certain sales and rentals.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 301.041, Property Code, is amended to
 1-24 read as follows:

1-25 Sec. 301.041. CERTAIN SALES AND RENTALS EXEMPTED. (a)
 1-26 Sections 301.021, 301.023, 301.024, and 301.025 do [~~Subchapter B~~
 1-27 ~~does~~] not apply to:

1-28 (1) the sale or rental of a single-family house sold or
 1-29 rented by the owner if:

1-30 (A) the owner does not:

1-31 (i) own more than three single-family
 1-32 houses at any one time; or

1-33 (ii) own any interest in, nor is there owned
 1-34 or reserved on the person's behalf, under any express or voluntary
 1-35 agreement, title to or any right to any part of the proceeds from
 1-36 the sale or rental of more than three single-family houses at any
 1-37 one time; and

1-38 (B) the house is sold or rented without:

1-39 (i) the use of the sales or rental
 1-40 facilities or services of a broker, agent, or salesperson licensed
 1-41 under Chapter 1101, Occupations Code, or of an employee or agent of
 1-42 a licensed broker, agent, or salesperson, or the facilities or
 1-43 services of any person in the business of selling or renting a
 1-44 dwelling [~~the owner of a dwelling designed or intended for~~
 1-45 ~~occupancy by five or more families~~]; or

1-46 (ii) the publication, posting, or mailing
 1-47 of a notice, statement, or advertisement prohibited by Section
 1-48 301.022; or

1-49 (2) the sale or rental of the rooms or units in a
 1-50 dwelling containing living quarters occupied by or intended to be
 1-51 occupied by not more than four families living independently of
 1-52 each other, if the owner maintains and occupies one of the living
 1-53 quarters as the owner's residence.

1-54 (b) The exemption in Subsection (a)(1) applies only to one
 1-55 sale [~~or rental~~] in a 24-month period if the owner was not the most
 1-56 recent resident of the house at the time of the sale [~~or rental~~].

1-57 (c) Subsection (a) does not prohibit the use of attorneys,
 1-58 escrow agents, abstractors, title companies, and other
 1-59 professional assistants necessary to transfer title.

1-60 (d) For purposes of Subsection (a), a person is in the
 1-61 business of selling or renting a dwelling if:

