

Chapter 1072

H.B. No. 2404

1 AN ACT

2 relating to certain security devices for residential tenancies.

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

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

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

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

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

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

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

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

24 (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:

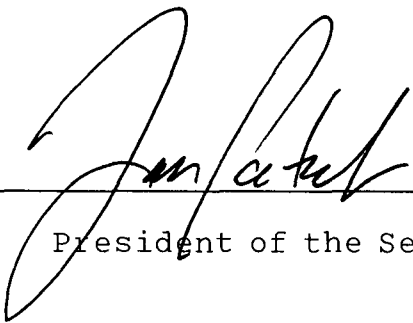
8 Sec. 92.1641. LANDLORD'S DEFENSES RELATING TO INSTALLING OR  
9 REKEYING CERTAIN SECURITY DEVICES. The landlord has a defense to  
10 liability under Section 92.164 if:

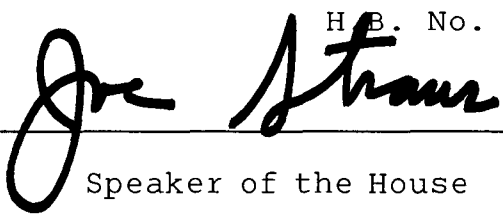
11 (1) the tenant has not fully paid all rent then due  
12 from the tenant on the date the tenant gives a request under  
13 [~~Subsection (a) of~~] Section 92.157(c) [~~92.157~~] or the notice  
14 required by Section 92.164; or

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.

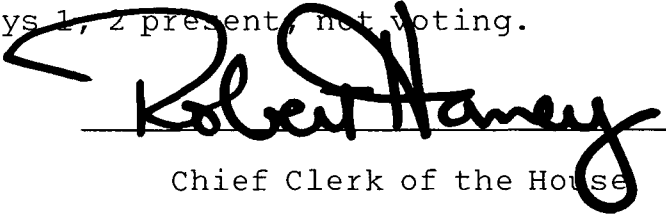
18 SECTION 4. The changes in law made by this Act apply only to  
19 a lease entered into or renewed on or after the effective date of  
20 this Act. A lease entered into or renewed before the effective date  
21 of this Act is governed by the law as it existed immediately before  
22 the effective date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

24 SECTION 5. This Act takes effect January 1, 2016.

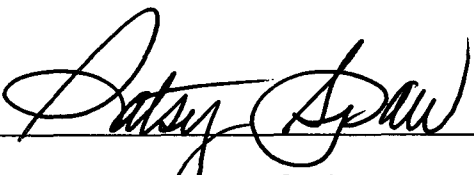
  
\_\_\_\_\_  
President of the Senate

H.B. No. 2404  
  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 2404 was passed by the House on May 15, 2015, by the following vote: Yeas 139, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2404 on May 28, 2015, by the following vote: Yeas 145, Nays 0, 2 present, not voting, and that the House adopted H.C.R. No. 144 authorizing certain corrections in H.B. No. 2404 on May 30, 2015, by the following vote: Yeas 145, Nays 1, 2 present, not voting.

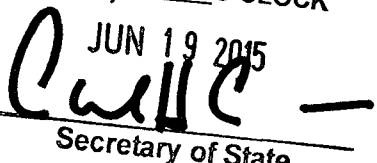
  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 2404 was passed by the Senate, with amendments, on May 26, 2015, by the following vote: Yeas 30, Nays 1, and that the Senate adopted H.C.R. No. 144 authorizing certain corrections in H.B. No. 2404 on May 31, 2015, by the following vote: Yeas 31, Nays 0.

  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 6-17-2015  
Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
6:30 pm O'CLOCK  
JUN 19 2015  
  
\_\_\_\_\_  
Secretary of State

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 27, 2015

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2404** by Anderson, Rodney (Relating to certain security devices for residential tenancies. ), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SD, CL, EK

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 22, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2404** by Anderson, Rodney (Relating to certain security devices for residential tenancies.), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, CL, EK

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 18, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2404** by Anderson, Rodney (Relating to certain security devices for residential tenancies.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, CL, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 27, 2015**

**TO:** Honorable René Oliveira, Chair, House Committee on Business & Industry

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB2404 by Anderson, Rodney (Relating to certain security devices for residential tenancies.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, CL, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 10, 2015**

**TO:** Honorable René Oliveira, Chair, House Committee on Business & Industry

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2404** by Anderson, Rodney (Relating to certain security devices for residential tenancies.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, CL, EK