

BILL ANALYSIS

H.B. 4015
By: Leach
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been calls to make it clear that a landlord is not liable for damages related to the collection of a late fee from a tenant for the tenant's failure to pay any portion of delinquent rent. H.B. 4015 seeks to address this issue by exempting a landlord from such liability unless the amount of the late fee exceeds a certain threshold.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4015 amends the law to exempt a landlord from liability for damages related to the collection of a late fee from a tenant for the tenant's failure to pay any portion of delinquent rent unless the late fee exceeds the greater of \$150 or ten percent of the amount of rent for the rental pay period under the lease. The bill requires the calculation of such a fee to include any direct or indirect costs or damages associated with the landlord's collection of delinquent rent.

EFFECTIVE DATE

September 1, 2019.